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## **THE INTERNATIONAL SECRETARIAT**

CARNEGIE ENDOWMENT FOR INTERNATIONAL PEACE  
DIVISION OF INTERNATIONAL LAW

George A. Finch, *Director*

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*Studies in the Administration  
of International Law and Organization*

- No. 1. *The International Law of the Future Postulates, Principles, Proposals.*
- No. 2. *International Tribunals: Past and Future.* By Manley O Hudson.
- No. 3. *The International Secretariat A Great Experiment in International Administration* By Egon F Ranshofen-Wertheimer.

# THE INTERNATIONAL SECRETARIAT

*A Great Experiment in  
International Administration*

BY  
EGON F. RANSHOFEN-WERTHEIMER  
*Special Consultant and Research Associate*

WASHINGTON  
CARNEGIE ENDOWMENT FOR INTERNATIONAL PEACE  
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*This book is dedicated to my former  
colleagues of the League Secretariat,  
pioneers and harbingers of a better  
world, in friendship and affection*



## PREFACE

As a part of its studies of international administrative experience of the past in anticipation of the certainty of the restoration of an international organization to maintain peace in the post-war world, the Carnegie Endowment for International Peace began three years ago through its Division of International Law an analysis of the experience of the Secretariat of the League of Nations. The timeliness and necessity for such a study were plain to everyone acquainted with the evolution of international institutions. The new organization would be either the old League of Nations revised to meet changed conditions or a new organization which would take into account the weaknesses as well as the advantages of the old. In proposing at Dumbarton Oaks the establishment of a General International Organization for the Maintenance of Peace and Security, the Great Powers parties to those proposals have decided to adopt the second alternative. In doing so, both the form and experience of the League of Nations will be drawn upon. This is evident not only from the plans already officially published but from the expressed intention of the draftsmen of the new charter. For instance, Prime Minister Churchill in his speech before the House of Commons on February 27, 1945, stated that the former League of Nations will be replaced by a far stronger body but "it will embody much of the structure of the characteristics of its predecessor. All the work that was done in the past, all the experience that has been gathered by the working of the League of Nations, will not be cast away."

The present volume, entitled *The International Secretariat*, is the first comprehensive study of the experience in international administration gained by the League of Nations in the twenty years of its active existence. It describes and evaluates the history and evolution of the League Secretariat, its peculiar problems of leadership, its structural development and personnel problems. It furnishes the reader with a new insight into the administrative technique developed through trial and error at Geneva, into the constant interplay of political and technical necessities, and into the unique problems created by the existence of a large supranational civil service with exclusively international duties. Particular attention is paid throughout the volume to those elements in the experience of the past which have a direct bearing

upon administrative problems that will have to be solved by the architects of the international organs of the future.

The author had ten years' personal experience as an official of the Secretariat of the League of Nations from 1930 to 1940. The work is therefore not only vividly written but in many places is supported by materials and information that cannot be found in official documents or previous publications. The study should be a valuable handbook for experts and officials and a useful guide to teachers, students, and all others interested in the study of international administration and organization. Much of the contents of the volume has already been made privately available to officials and official agencies working upon problems of post-war reconstruction. The Director of the Division of International Law is happy to be able to present the completed work in time for the conference of the United Nations to be held at San Francisco beginning on April 25, 1945, and for world-wide use thereafter.

GEORGE A. FINCH

*Director of the Division of International Law*

WASHINGTON, D. C.

*April 15, 1945*

## INTRODUCTION

Hardly had I set foot in the office on the third floor of the old *Palais des Nations* on an unforgettable May day in 1930 when a flood of files and mimeographed papers arrived, as if by magic, on a tray reserved for "incoming mail and documents." The reflection of the early afternoon sun in Lake Geneva in front of my office filled my room with a light that was painful in its intensity. I sat down at the supersized desk which indicated that I had been appointed to an important post. Before I had time to recover my breath the telephone began to ring. I was caught in a machine which did not release me until I left the Secretariat exactly ten years later.

Nobody apparently was charged with the task of breaking me in, of explaining to me what the French call the *rouages* of the machinery into which I had been suddenly catapulted, or even of outlining my proper duties. My colleagues, old hands at administrative tasks, seemed to take everything for granted. They were in it and of it. They were unable to put themselves in the position of a newcomer facing the machine with extreme bewilderment and awe. What chiefly interested my colleagues was whether or not I was a friendly kind of person, a *bon coucheur* who would enter into the game and would identify himself with the work of the Secretariat.

Settling down I tried to catch the spirit of my work. As a writer I had never been a League of Nations man. Neither had I ever felt the urge to watch the League in action, nor belonged to a League of Nations Association, nor even so much as looked into a League document. In my writings I had never visualized world affairs from the League angle. But I had been a frontline soldier. I had taken off my uniform in 1919 after three gruelling years in three European theatres of war and had made a vow never to forget what I had gone through with millions of my contemporaries. "Never again," was the dominant sentiment I shared with the veterans of a score of nations. In my political activities and my writings I had fought nationalism and chauvinism wherever I found it. In the German newspapers subscribing to the syndicate whose London director I was, I had consistently urged Germany's entry into the League. While I was not a League of Nations man, I was a believer in international organization. At that time Geneva, and not London, Paris, Moscow, or Washington, was the clearing-house of the

international affairs of the world. It seemed worth while to be even a cog in a machinery that was beginning to replace to an increasing extent the old apparatus of diplomacy overloaded with anachronistic traditions and habits.

It is difficult for a soldier to keep alive his initial enthusiasm and fighting spirit through all the vicissitudes of a long war. There are weeks, even months, when boredom, routine duties, dirt, and listlessness take possession of him. He may participate in an action, or in a decisive battle, which is breathlessly followed at home. But he himself may go through the event without any emotion, unaware even of the fact that he is taking part in a turning point of history. Only later through newspaper reports and, nowadays, by listening to the radio, may he be able to catch something of the spirit of the event which he himself has helped to shape.

Similarly, it was difficult, often impossible, for the men and women engaged in the day-to-day work of the Secretariat to keep their faith and devotion permanently alive. A fatal Council meeting, as the session which considered the Manchurian aggression, or sanctions against Italy — deliberations on which the peace of the world hinged — for them might have been nothing more than dreary hours of preparing a document, drafting a summary, comparing an English and French text, running after elusive delegates in an attempt to obtain approval of a draft resolution, or trying to persuade a journalist to cable the full text of a statement the importance of which he was inclined to underrate. How difficult it was sometimes to keep one's zest awake when the nations seemed to be drifting away from Geneva and to be undermining the very foundations on which the League rested! What effort was needed at times to see our daily chores as part of a brave effort to subdue the forces of evil!

I remember walking to the new *Palais des Nations* early one afternoon with a friend of mine who had preceded me as an official in the Secretariat and who is still working in the League's semi-deserted headquarters at Geneva. It must have been in 1938 or 1939. The day was dreary, the sky was overhung with a bleak veil and the work to which we were returning had assumed, in consequence of the deterioration of the international situation, an air of unreality. The road was uphill and we walked slowly. As we approached the Park Ariana, the *Palais des Nations* stood before us, monumental and as if erected for eternity. A solitary ray of sunlight was reflected on the marble walls of the Assembly building. I felt depressed, unwilling to work, possessed by a

feeling of the futility of my personal contribution in a world that was disintegrating. It seemed senseless to go on with that particular work in which one was engaged. My friend stopped. Suddenly he laid his hand on my shoulder and said: "Cheer up. Do not forget how lucky we are. The only task that is worth while in the world of today is ours." I was ashamed. I felt as if I had betrayed the trust that had been placed in me by being disheartened and forgetful of the broader perspective of my work. At that moment I recovered the spirit of the vow I had taken as a soldier in 1919.

All through the ten years spent in the Secretariat I watched with passionate interest the inner working of this unique machinery, ever anxious to find out what made it tick and to understand its mechanism. This study is an attempt to transform this personal experience into an objective picture.

\* \* \*

In the following pages it is not intended to deal more than is absolutely necessary with the political aspects of the League. But many of the problems that will be touched upon cannot be treated as if they posed themselves in a vacuum. An administrative machinery must reflect the instrument which it serves. The technique, the procedures, the atmosphere in which the work is done and which accounts so much for the manner in which it is performed can only be properly appreciated against a broader background. This is especially true of international administration which is located at the center of the interplay of power politics. No more than national agencies could the League escape history. The Secretariat, fortunately, was not an ivory tower, but a working organization, in spite of its underlying idealism.

In 1930 the League stood at the zenith of its prestige. It had disappointed many. But it had weathered early storms and had handled successfully some minor political emergencies that had threatened the peace of the world. Furthermore, it had helped to liquidate some of those problems without losing face. Its technical organs and services, originally considered mere annexes to the political functions of the League, had grown quite out of proportion as compared with the original intentions of the draftsmen of the Covenant.

Outwardly, there was still little sign of the threatening crisis. The corridors of the League Secretariat hummed with the comings and goings of statesmen, diplomats, experts, journalists, authentic or self-styled students of international affairs from all parts of the world. The

League's membership had been extended by Germany's entry. Apart from the United States and Soviet Russia, all the great powers of that era occupied permanent seats in the Council. The American continent was represented by no less than seventeen member States. The greatest American power, the United States, collaborated to an increasing extent in most of the non-political and in some of the political activities of the League. The Manchurian and the Ethiopian aggressions had not yet occurred. But while the prestige of the League stood unshaken in the eyes of the world, some of the inner weaknesses in its texture became increasingly evident. England and France more and more went separate ways in international affairs and it seemed that they were more inclined to use the League for their own particular aims and purposes than to strengthen the common cause of international organization. Italy was visibly drifting away from the community of victors and was scanning the horizon for support among the victims of the last war. Germany, under an uncertain and self-contradictory foreign policy following the death of its outstanding Foreign Minister Stresemann, steered an uneasy course, alternating between resistance and an ungracious sort of cooperation. An Italo-German collaboration appeared on the Geneva horizon, reflected in those days less in collaboration in major policies than in small and seemingly insignificant matters as the common opposition to the concept of an international civil service raised by the 1930 Enquiry into the Organization of the Secretariat. Japan cooperated outwardly, trying to remain in the good graces of its old allies but keeping enigmatically aloof while systematically preparing for the Manchurian aggression.

It was only natural under these circumstances that the League machinery should be the first to become aware of the shadow of things to come. Support of the Secretariat was half-hearted, moneys were grudgingly granted. Its international concept was questioned. Opinions began to clash. In the challenge flung at the coherence of the Secretariat in 1930 by the German and Italian representatives — in the politest manner in the world, it is true — the contour of coming events began to shape itself. A shadow passed over Geneva. The natural growth of the international machinery was arrested. National points of view ever present in the consciousness now were discernible in the actions of international officials. This process of decline began with the Italians, took possession of the Germans, and finally extended to the Japanese. It ate like a cancer into the living flesh of the entire international body. From that September of 1930 onward the Secretariat was

no longer its original self. Its inner unity was gravely challenged. There were times, at the beginning of the thirties, when the foreign offices of Italy, Germany, and Japan were informed by some of their countrymen within the Secretariat of the most confidential developments of which Geneva had knowledge. The morale of the majority of the other members of the Secretariat who had remained true to their ideals and vows as international officials was put to a severe test. If the morale of the body as a whole did not suffer a fatal blow it was due to the fact that the League Secretariat by that time had become a corporate entity and not a sum of separate units. An *esprit de corps* had developed which proved on the whole stronger than the forces of disintegration, threatening the cohesion of the international secretariat from the inside as well as the outside. This spirit survived despite a leadership which, after 1933, gave the impression of discouraging rather than encouraging the identification of the staff members with the ideals of the Covenant.

The Secretariat commanded its own loyalties, it had its own corporate reaction, its own psychology. This basic unity survived even the shock of the outbreak of the war when persons whose countries faced each other on the battlefield continued to cooperate at neighboring desks in the offices of the *Palais des Nations* in the Park Ariana.

The great break-up came in 1940 when, after the invasion of Denmark, Norway, the Netherlands, Belgium, and France, the Secretariat was suddenly reduced to a skeleton staff. Certain League services are still in operation in Geneva, in London, and on the American Continent. They uphold on a very restricted scale the old spirit which also remains alive in the majority of those among us who left the League service at different periods, prior to and after the outbreak of World War II.

\* \* \*

The present monograph is the first comprehensive study of the Secretariat undertaken by a former member of the staff. The author is, of course, aware of and familiar with a booklet issued by the Royal Institute of International Affairs in London, entitled *The International Secretariat of the Future*.<sup>1</sup> The value of this study is unique, reflecting as it does the views and suggestions with respect to this subject of a group of former high officials of the League. The proposals set forth are based upon the experience gained by these men, most of whom have served

<sup>1</sup>London: Oxford University Press, 1944. This report is subsequently called the "London Report" throughout this volume.

the League for twenty years or more. For these reasons, this pamphlet is absolutely indispensable for anybody interested in the question and seeking concrete suggestions for the future international secretariat. The approach of the present study is different, however.

Its purpose is essentially retrospective, analytical, and designed to extract the essence of the experience of the past, but it contains many elements pointing to the future. It may therefore be of some value to those already engaged, or those who will be engaged, in the building up of international administration. Regardless of what the future may have in store for the present League of Nations Secretariat which survives in a reduced frame, the lessons taught by the experience of the past cannot and must not be lost. Whatever its shortcomings may have been — and they were surprisingly few — the League Secretariat will forever serve as a witness to the fact that in spite of the signally unfavorable circumstances prevailing between the time of the signing of the Treaty of Versailles and the outbreak of World War II, citizens of more than forty nations, at a time of rampant nationalism, with no precedents to guide them, collaborated as one team for a common purpose. The experiment of Geneva proved conclusively that international administration on a large scale is possible. This alone should suffice to justify the attempt that was made.

Normally a portrait of an administration which is still operating should be based, in its descriptive parts, on the most recent stages of its development. This is inadvisable in the case of the League in view of the fact that from the fall of 1938 on, more specifically from the date of the Munich Agreement, international cooperation was rapidly disintegrating, and this development was accompanied by a retrenchment of the activities of the League and of its Secretariat. But as this process of economy and contraction was imposed by a crisis, it could not be considered a natural evolution of international administration. The last stage was and is an emergency situation. The description of patterns and typical procedures of the League has therefore been based on the situation as it existed on the eve of the Munich Agreement, September, 1938. Unless otherwise expressly stated or evident from the general context, remarks and data refer to the situation at that time.

At present, only the outlines of the future international organization have begun to emerge. But whatever character the new structure may take, it will undoubtedly reflect preceding experience as embodied in the League, and profit from the merits and errors of the past. This study endeavors to present not only a record of things past but also a

modest stone in the edifice of tomorrow. In serving this purpose it will have fulfilled the aim and the hopes of the author.

In composing this monograph, the author has freely drawn on the proceedings of two conferences convoked by the Carnegie Endowment for International Peace — an Exploratory Conference on the Experience of the League of Nations Secretariat, and a Conference on Experience in International Administration, which have never been made public — conferences composed of former and present League officials who had served or still serve in different administrative capacities. The exchange of experience and opinions to which these two sessions gave rise constitutes a unique confidential report on the actual working of the Geneva administration.

Chief sources of reference have been, of course, the documents issued by the League of Nations Secretariat, which, though publicly available, are widely scattered and therefore hardly intelligible to anyone not familiar with the problem from inside the organization. To a minor degree this monograph has also utilized documents which have not appeared in print. For this type of material the author is particularly indebted to the Woodrow Wilson Memorial Library in New York, whose Librarian, Miss Van Wyck, placed an invaluable collection of mimeographed League documents freely at his disposal. He has made use of them with what is hoped the necessary restraint but also as fully as seemed permissible.

The author has been fortunate in having for a good part of this study the assistance, advice, and friendly criticism of a number of former colleagues or Geneva associates to whom he is deeply indebted for suggestions. Among these he wishes to thank especially Mr. S. Deutschman, Dr. Gertrude Dixon, Mr. Elliot Felkin, Mr. Duncan Hall, Mr. Martin Hill, Dr. Jan Hostie, Judge Manley O. Hudson, Miss Essy Key-Rasmussen, Mr. Joseph Nisot, Mr. Vladimir Pastuhov, Mr. Leon Steinig, Mr. Arthur Sweetser, Mr. G. P. Watterson, and Mr. Francis Colt deWolf. Opinions expressed in this study are solely those of the author and are not to be attributed either to these former colleagues or to the Division of International Law of the Carnegie Endowment for International Peace, which made this study possible materially and technically. The author is deeply grateful to Mr. George A. Finch, Director of the Division, for his unflagging interest in this study, for his criticism of the manuscript, and for the constant encouragement he has given to the work in progress.

Special acknowledgment and thanks are due to Mrs. Catherine

Pastuhova, a former official of the Secretariat, who has contributed a special study of the Filing System of the Secretariat to the present volume. This study, which is based upon many years of practical working experience and upon a thorough knowledge of the intricate machinery for collecting, distributing, and preserving incoming and outgoing correspondence, and records of decisions and of action taken, will be found as an Appendix to this volume.

Dr. Frederic A. Ogg, managing editor of the *American Political Science Review*, has kindly permitted the use in the present study of the author's article on international administration which had appeared in the October, 1943, issue of that review. Full advantage has been taken of this authorization.

Special thanks are due to his assistant, Miss Rosa Gordon, for her help in the research needed for this volume and in the preparation of the manuscript; to Miss Sophia Podolsky for valuable suggestions; to Miss Helen Lawrence Scanlon, Librarian of the Endowment, for her collaboration in connection with the Bibliography, and to other members of the staff of the Endowment for their unfailing courtesy and helpfulness in various phases of the work, particularly the members of the editorial staff of the Division of International Law.

EGON F. RANSHOFEN-WERTHEIMER

WASHINGTON, D. C.

October 23, 1944

## DEFINITIONS

**DIVISIONS:** The staff of the Secretariat is organized in three Divisions:

**FIRST DIVISION:** Principal Officers (see *infra*) plus the following categories: Chiefs of Section, Counselors, Members of Section, officials graded as equivalent to Members of Section, Interpreters and Revisers, Translators, Précis-writers, and certain heads of services.

**SECOND DIVISION:** Intermediate Class. Secretaries, Shorthand-typists, Clerks, and Copyists.

**THIRD DIVISION:** "Office-keepers," and Telephone Operators, Duplicating Operators, Messengers, Cyclists, and Elevator Operators.

**HEAD OF SECTION:** A director or acting director or chief of a Section.

**HIGH DIRECTORATE** is used in keeping with the terminology employed in the London study on the International Secretariat of the Future to designate the group of high officials of the Secretariat; the term is alternatively used with that of Principal Officers (see *infra*). It comprises the Secretary-General, his Deputy or Deputies, the Under Secretaries-General, the Legal Adviser, the Treasurer, and the Directors. In Geneva the French term *haute direction* was generally in use to indicate this group of officials.

**HIGHEST OFFICERS:** Secretary-General, Deputy Secretaries-General, and Under Secretaries-General.

**OFFICIAL:** A member of the Secretariat of the League of Nations, irrespective of rank.

**PRINCIPAL OFFICERS:** In conformity with the terminology used in the Staff Regulations, principal officers are understood to comprise the following categories of high officials: Secretary-General, Deputy Secretaries-General, Under Secretaries-General, Treasurer, Legal Adviser, Directors. The term is used alternatively with that of High Directorate (see *supra*).

**SECRETARY-GENERAL:** The head of the League of Nations Secretariat.

**SECTION:** The term used in the administrative structure of the League Secretariat to designate the chief service units of which the International Secretariat was composed. Section in the Geneva terminology corresponds to the term "division" as used in the United States Department of State, "department" in the terminology of the British Foreign Office, and "bureau" as employed in the United Nations Relief and Rehabilitation Administration and other public agencies.

**ACTION SECTION:** The Section which prepares and "finally advises the competent authority upon the action to be taken on a subject; and which executes the decisions taken by the competent authority in regard thereto." (*Secretariat Office Rules.*)

**SERVICE:** A subdivision of the Secretariat. The term is officially employed for administrative units existing side by side with Sections (see *supra*); it comprises different types of units, some comparable in importance and competence with Sections (Treasury, Library), some constituting subdivisions of a Section (Economic Intelligence Service); chiefly, however, it is used for technical units belonging to the internal administration of the Secretariat. In this study it is also used in a general sense, indicating service units, whether sections or services properly speaking.

**TECHNICAL WORK or TECHNICAL PROBLEMS** is used to indicate all the work of the League in the field of economics (commercial, industrial, and agricultural questions); financial and transport, demographic, and emigration questions, questions of public health and hygiene, housing and nutrition, control of the traffic in drugs, prostitution, child welfare, and other problems of "social dangers and social well-being." The term "technical" is obviously inadequate to define all these activities, and it is a truism that most of these questions are to a greater or lesser degree political, especially in their national aspect. But the term was used consistently until the so-called Bruce Report of 1939 attempted to replace it by "economic and social affairs."

## ABBREVIATIONS

Balfour Report	"Staff of the Secretariat; Report Presented by the British Representative, Mr. A. J. Balfour," O.J., 1920, Vol. I, pp. 136-39.
Bruce Report	<i>The Development of International Co-operation in Economic and Social Affairs. Report of the Special Committee.</i> L.N. Document A.23.1939.
Committee of Thirteen	Committee of Enquiry on the Organisation of the Secretariat, the International Labour Office and the Registry of the Permanent Court of International Justice (Committee of Thirteen). <i>Report of the Committee.</i> L.N. Document A.16.1930.
ILO	<i>International Labor Office.</i>
L.N.	<i>League of Nations.</i>
London Report	<i>The International Secretariat of the Future; Lessons from Experience by a Group of Former Officials of the League of Nations.</i> London: Royal Institute of International Affairs, 1944.
Noblemaire Report	<i>Organisation of the Secretariat and of the International Labour Office, Report Submitted by the Fourth Committee and Adopted by the Second Assembly on the Conclusions and Proposals of the Committee of Experts Appointed in accordance with the Resolutions Approved by the First Assembly at its Meeting of December 17th, 1920.</i> L.N. Documents C.424.M.305. 1921.X. and A.140(a).1921.
O.J.	<i>Official Journal.</i>



# TABLE OF CONTENTS

	PAGE
PREFACE.....	vii
INTRODUCTION.....	ix
DEFINITIONS.....	xvii
ABBREVIATIONS.....	xix

## PART I. BASIC CONCEPTS, COMPETENCE, AND CONSTITUTIONAL EVOLUTION

### CHAPTER

I. CHARACTERISTICS AND PROBLEMS OF INTERNATIONAL ADMINISTRATION.....	3
1. Concept and Scope.....	3
2. Analogy and Differences in Technique.....	7
3. Terminological Difficulties.....	11
II. POWERS AND FUNCTIONS OF THE SECRETARIAT.....	13
1. The Birth of an Idea.....	13
2. Scope and Range of Activities.....	17
III. RÔLE AND DECISIONS OF THE POLICY-MAKING ORGANS.....	21
1. The Fourth Committee and the Supervisory Commission..	21
2. Major Enquiries and Reports.....	25

## PART II. INTERNATIONAL LEADERSHIP

IV. THE SECRETARY-GENERAL.....	35
1. Crystallization of Functions.....	35
2. External Powers.....	37
3. The Head of the International Administration and his Staff	42
4. National Origin and Choice of Personality.....	46
5. Appointment, Emoluments, and Tenure of Office.....	49
V. THE HIGH DIRECTORATE.....	53
1. Position, Functions, and Rank of the Principal Officers....	53
2. The Highest Officials.....	61
3. National Share in the High Direction.....	65
4. Policy Council of Principal Officers.....	69

## PART III. MACHINERY

## A. EVOLUTION OF THE ADMINISTRATIVE SYSTEM

CHAPTER	PAGE
VI. PRINCIPLES AND STRUCTURE OF ORGANIZATION.....	77
1. National Representation or International Civil Service...	77
2. Development of the Scheme of Organization.....	82
3. The Departmental Setup .....	89
4. Protocol.....	95
5. Official Languages.....	96
VII. THE INDIVIDUAL ADMINISTRATIVE UNITS.....	99
1. General Services of the Secretariat.....	100
Central Section — Political Section — Legal Section — Treasury — Library	
2. Specialized Services of the League.....	109
Minorities Questions Section — Financial Section and Economic Intelligence Service; Economic Relations Sec- tion — Mandates Section — Communications and Transit Section — Health Section — Opium Traffic Section and Secretariat of the Permanent Central Opium Board — Social Questions Section — Disarmament Section — In- ternational Bureaux and Intellectual Cooperation Section.	
3. Internal Administrative Services.....	134
Personnel Office — Internal Services — Supplies Service — General Stenographic Service — Distribution of Doc- uments Service — Document Service — Publications, Printing and Reproduction of Documents Service — Registry and Indexing of Publications Service.	
VIII. INTERNAL COORDINATION OF WORK.....	144
1. Direct and Delegated Authority.....	144
2. Interrelation of Services.....	146
B. ADAPTATION TO CHANGING NEEDS AND CONDITIONS	
IX. THE SHIFT TO THE FRENCH SYSTEM.....	152
1. Characteristics.....	152
2. Reasons for the Change.....	153
3. Balance Sheet.....	154
X. THE EMERGENCE OF THE ECONOMIC, SOCIAL, AND HUMANI- TARIAN ACTIVITIES.....	157
1. Growth of the Technical Work.....	157
2. The Struggle for Recognition.....	161
3. The Bruce Report.....	163

## TABLE OF CONTENTS

xxiii

	PAGE
<b>XI. ECONOMY AND RATIONALIZATION.....</b>	<b>167</b>
1. Obstacles and Limitations.....	167
2. Record and Evaluation of an Effort.....	170
<b>C. GENEVA AND THE WORLD</b>	
<b>XII. EXTERNAL RELATIONS.....</b>	<b>175</b>
1. Official Correspondence.....	175
2. National League of Nations Services.....	179
3. Liaison Activities of Officials.....	184
4. Branch Offices.....	187
5. Permanent Delegates.....	190
6. "Radio-Nations".....	195
<b>XIII. PUBLIC OPINION AND THE INTERNATIONAL CENTER.....</b>	<b>199</b>
1. The Secretariat and the Man in the Street.....	199
2. The Information Section — Key to the League's Public Relations.....	201
3. League Publications.....	217
<b>D. FINANCING AND HOUSING INTERNATIONAL HEADQUARTERS</b>	
<b>XIV. LEAGUE BUDGET AND THE SECRETARIAT.....</b>	<b>223</b>
1. The Struggle for Adequate Provisions.....	223
2. Cost of the Secretariat.....	224
3. Internal Control of Expenditures.....	226
4. The Need for Over-Budgeting.....	227
<b>XV. THE HEADQUARTERS.....</b>	<b>229</b>
1. Buildings and Grounds.....	229
2. Inviolability of Premises.....	231
3. Night Duty.....	235
<b>PART IV. THE INTERNATIONAL OFFICIAL</b>	
<b>A. SUPRANATIONAL ALLEGIANCE</b>	
<b>XVI. INTERNATIONAL MAN?.....</b>	<b>239</b>
1. Size of International Staff.....	239
2. National Roots and International Loyalty.....	243
3. Declaration of Fidelity.....	245

CHAPTER	PAGE
XVII. PROBLEMS AND PAINS OF GROWTH.....	247
1. Homogeneity of the Early Secretariat.....	247
2. The Revisionist and Antidemocratic Challenge.....	249
B. INTERNATIONAL CIVIL SERVICE CODE	
XVIII. CONTRACTUAL STATUS AND SAFEGUARDS.....	256
1. Staff Regulations.....	256
2. The Legal Nature of the Contract.....	257
3. The Administrative Tribunal.....	259
4. Internal Committees.....	262
XIX. SPECIAL RIGHTS AND PROHIBITIONS.....	265
1. Diplomatic Privileges and Immunities.....	265
2. Public Activities.....	273
3. Honors and Decorations.....	276
XX. CLASSIFICATION OF STAFF.....	279
1. Three Divisions.....	279
2. Description of the Categories.....	280
3. Titles.....	284
4. Proportion and Disproportion between Ranks.....	286
XXI. COMPENSATION AND VACATION.....	290
1. International Salaries.....	290
2. Annual Leave.....	298
XXII. DURATION OF SERVICE, ADVANCEMENT, AND SECURITY.....	300
1. Terms of Employment.....	300
2. Opportunities for Promotion.....	304
3. Pensions on Retirement.....	310
XXIII. APPOINTMENT AND TERMINATION OF CONTRACT.....	316
1. The Procedure.....	316
2. The Appointment Committee.....	318
3. Probation.....	319
4. Conclusion of Service.....	320
XXIV. RECRUITMENT OF INTERNATIONAL PERSONNEL.....	323
1. Difference in Requirements.....	323
2. Positive Attitude Towards the League.....	324
3. <i>Persona Grata</i> .....	326
4. Educational Qualifications.....	327
5. Language Proficiency.....	328

## TABLE OF CONTENTS

XXV

	PAGE
6. Examinations.....	331
7. Publicity for Vacancies.....	335
8. Candidates from Other Civilizations.....	337

### C. STAFF COMPOSITION AND STRUCTURE

XXV. EXCHANGE AND LOAN OF OFFICIALS.....	339
1. Seconding between International Administrations.....	339
2. Seconding from National Administrations.....	341
XXVI. AGE PYRAMID AND STABILITY.....	345
1. Age Distribution within the Secretariat.....	345
2. Continuity of Service.....	347
XXVII. NATIONAL STRUCTURE.....	351
1. Establishment of a Principle.....	351
2. League Contributions and Repartition of Nationalities... ..	353
3. Nationality Distribution.....	354
4. Officials from Non-Member States.....	361
XXVIII. EQUALITY OF THE SEXES.....	365
1. Official Recognition.....	365
2. Difficulties of Implementation.....	367
3. Women with Administrative Rank.....	369

### D. INNER HISTORY: THE LAST STAGE (1939 and After)

XXIX. THE CRISIS.....	371
1. A Policy of Wait and See.....	371
2. Peripety.....	373
3. A Tragic Interlude.....	378

## PART V. GENERAL APPRAISALS AND EVALUATIONS

XXX. SECRETARIAT AND INTERNATIONAL LABOR OFFICE.....	385
1. Leadership.....	385
2. Organization.....	386
3. Staff.....	387
XXXI. THE RÔLE OF THE SECRETARIAT IN LEAGUE POLICIES.....	391
1. Contradictory Evaluation.....	391
2. Range and Character of Influence.....	393
3. Limitations and Inherent Dangers.....	399

CHAPTER	PAGE
XXXII. BACKGROUND AND INTERESTS . . . . .	402
1. Diplomatic Infiltration . . . . .	402
2. Professional Composition . . . . .	404
3. Social Hierarchies, Titles, Political Allegiance . . . . .	406
4. Literary Activities . . . . .	408
XXXIII. THE CAPITAL OF THE LEAGUE — FROM THE SECRETARIAT ANGLE	410
1. The Choice of Geneva . . . . .	410
2. Appraisal from a Technical Viewpoint . . . . .	415
3. Local Situation — International Tradition . . . . .	417
4. Adverse Factors . . . . .	420
5. Small versus Large City . . . . .	423
CONCLUSIONS . . . . .	425
APPENDICES . . . . .	443
I. Functions of the Secretariat under League Conventions . . . . .	445
II. Rôle and Functions of the Secretary-General in Council and Assembly . . . . .	449
III. The Filing System of the Secretariat by Catherine Pastuhova . . . . .	451
IV. Approval and Preparation of Documents . . . . .	464
V. Traveling and Removal Expenses and Subsistence Allowance . . . . .	466
BIBLIOGRAPHY . . . . .	469
INDEX . . . . .	479

## CHARTS

	FACING PAGE
ORGANIZATION SCHEME OF THE SECRETARIAT, 1930.....	88
ORGANIZATION SCHEME OF THE SECRETARIAT, 1938.....	90
POSITION OF A GENERAL SECTION WITHIN THE SECRETARIAT (Legal Section).....	149
POSITION OF A SPECIALIZED SECTION WITHIN THE SECRETARIAT (Social Questions Section).....	150



**PART I**  
**BASIC CONCEPTS, COMPETENCE, AND**  
**CONSTITUTIONAL EVOLUTION**



## CHAPTER I

### CHARACTERISTICS AND PROBLEMS OF INTERNATIONAL ADMINISTRATION

#### I. CONCEPT AND SCOPE

The expression "international administration" is used in so many ways and implies so many different meanings, that a study of the first great experiment in international administration should begin with redefining the meaning of the term.

On the occasion of the Conference on Experience for International Administration held in 1943 under the auspices of the Division of International Law of the Carnegie Endowment for International Peace, one of the participants, a man with many years of experience in international administration, stated that in his opinion there had been in the past "next to no international administration and practically no international administrators." In a whimsical mood he added, "We in the League and the ILO <sup>1</sup> had practically nothing to administer except ourselves."

It is evident that the speaker interpreted the terms "administrator" and "administration," whether national or international, in a very narrow sense. Administration conceived in this way would include only the concrete, executive processes of administering regions or directing or operating field services, distributing grants-in-aid, etc. While police activities or relief operations, farm subsidies or freight-rate control would be administration within the terms of this interpretation, ministerial work, the drafting of bills or conventions, diplomatic activities or research connected with operational processes would not fall within such a conception of administration activities.

It has become the custom, and, in the opinion of this writer, rightly so, to interpret the term "public administration" in a wider sense, as "management applied to the affairs of the state";<sup>2</sup> a permanent process, based on division of labor, and hierarchically organized, by means of which official business is carried on. The officials entrusted with these activities are administrators whether or not they actually "operate,"

<sup>1</sup> The abbreviation "ILO" will be used throughout to indicate the "International Labor Office."

<sup>2</sup> *Encyclopædia of the Social Sciences* (New York: Macmillan Company, 1930), Vol. I, p. 440.

execute or supervise the carrying out of decisions, including, of course, what the speaker quoted above ironically characterized as "administering ourselves." As understood here it is quite irrelevant whether the results of these activities have any operational bearing at all. The national official who drafts an executive agreement or a bill for price control of daily needed commodities, thus directly influencing the living standards of millions, is not a different kind of official from the international official who is engaged in the preparation of an international convention against terrorism. The legal adviser of the Secretariat is as much an administrator as the field director appointed by an operational agency such as the United Nations Relief and Rehabilitation Administration and charged with the distribution of clothes.

If it is granted that the work performed by the League Secretariat and the International Labor Office is international administration and that its staff members are international administrators, it is nevertheless true that the League was not essentially an "operating" agency in the accepted meaning, but resembled in some cardinal respects ministries and other governmental departments which resort to *ad hoc* policies or local authorities for the execution of some or all of their

There existed in the League, however, a group of activities that came closer to executive responsibilities. The League had been entrusted by the different treaties of 1919 and 1920 with obligations stemming from the office of the administration of the Saar Basin was one example, other, the duties of High Commissioner of the League at Danzig and Polish Conventions incumbent upon the League under the German-treaties, the League of 1922, still another. Under the stipulations of these national duties, the League had been charged with setting up bodies with inter- of the League, or with control functions which were carried out on behalf of the League, or with certain duties of appointing chairmen of commissions and tribunals. This implied in no case the undertaking of direct administrative duties by the League Secretariat, and these activities were part of the progressive liquidation of the war except in the case of the Danzig High Commissioner whose position was understood to be permanent. Only with respect to the Saar Basin could these tasks be properly defined as international administration in the strict sense of the word. It is therefore unfortunate that a number of writers and students of League subjects, when speaking of international administration, have usually limited their application of this term almost exclusively to these delegated activities.

More important than these activities, which consisted in the delegation of authority by the League to individual persons or to other bodies, were some other quasi-governmental or operational activities growing out of the development of the League's so-called "technical" or humanitarian work. The anti-drug services were the most important prototype. Certain anti-epidemiological activities in Eastern Europe in the early years of the League, and the Far Eastern Health Bureau of the League established at Singapore, also belonged in this category. The Greco-Turk population transfer and the activities of Mr. Fridtjof Nansen on behalf of Russian and other refugees, and up to a point the financial reconstruction of Austria and Hungary in the twenties, were other examples.

The existence of these activities proves that there was not a clear line of demarcation between ministerial and operative functions. The latter existed but they constituted a very small segment of the League's work. The bulk of the work was essentially of an advisory, coordinating, and research character. Moreover, it will be noted that most of the operating tasks mentioned above belonged to the League in its early rather than in its later stages. The tendency was to restrict rather than to extend them. Except in the field of combating dangerous drugs they were successively liquidated.

Perhaps it was the steady deterioration of international relations after 1930 that prevented the League's assuming more direct administrative functions. Or it may have been the absence from the League of several major countries such as the United States and the Union of Soviet Socialist Republics, and later Germany and Japan. These factors certainly influenced the character of the evolution of the League's technical activities. But there were also reasons inherent in the organization itself that militated against an extension of direct administration. The League had been conceived as a center of conciliation and consultation. Quasi-governmental and operational tasks entrusted to it at the beginning were not an organic part of the League, as the Covenant clearly proves. Certain duties stipulated in the different peace treaties had either been turned over to the League as an expedient, or had developed, as in the case of the anti-drug services, as part of the evolution of a particular function.

Since the League administration was conceived as a typical "headquarters organization," a "novel type of specialized foreign service," these direct administrative tasks did not fit into the original concept of the Secretariat or the size of its staff, or its budget. This accounted for

the otherwise inexplicable reluctance shown by the administration itself to assume operational duties, especially in later years when its pattern had already become more or less "frozen." In spite of the deterioration in international relations, some of the member States were at times inclined to invest the League with new operational functions and responsibilities. The most outstanding example was the refugee question. The attempt to make the League the world center for intergovernmental action regarding refugees coming from the Third Reich met with latent but nonetheless real resistance on the part of the head of the administration. It may be true that in this particular case the unwillingness to accept responsibilities reflected a policy of appeasement toward the rising power of Nazism and an attempt on the part of the League administration to leave the door open for the return of Germany to the League. But the chief reason was the conviction that the League was not equipped with the machinery for such activities.

A concrete example of the degree of resistance offered by the League administration can be found in the aftermath of the conference on traffic in women and children in Eastern countries, held under the auspices of the League in 1937 in Java (Netherlands Indies). This relatively unimportant episode is cited because it shows convincingly how far the League administration was prepared to go in rejecting tasks it considered beyond the normal range of its activities.

The Conference, attended by about twelve Eastern countries or European countries with Eastern territorial possessions, had adopted a resolution recommending the establishment of an Eastern Office charged with coordinating the activities of the police and other services operating in this field. Such a bureau would have been important to these countries not only in view of its immediate purpose but particularly because of the general lack of coordination among the police authorities of the countries concerned. The League would have served as a link; more important activities might have evolved. Moreover, the mere existence of such an office would have enhanced the prestige of the League in a part of the world where it had particularly suffered because of its failure in the Manchurian crisis.

The proposals of the Conference were discussed by the Fifth Committee of the 1938 Assembly at Geneva, and overwhelming governmental support for them was assured. A report was drafted recommending the setting up of such an office and requesting an appropriation by the Assembly. At this stage the Secretary-General of the League stepped in and firmly declared that he was opposed to extending the

activities of the administration in this field. The proposal was dropped. The decision made in this case is not typical, for the rôle of the Secretariat was usually more passive; but it illustrates the resistance of the League administration to additional operational responsibilities.

Shorn of their incidental elements these examples tend to prove how difficult it is to add direct administration to a mechanism set up for recommendation, conciliation, and research. In this respect the League experience should be heeded as an important precedent. It suggests that provisions for operational activities by future organizations should be made in the charter documents establishing those organizations in case direct administrative activities are anticipated or desired. Otherwise the administrative framework will prove a potent element of resistance and delay. The question whether and to what degree operational tasks should actually be entrusted to future international organizations is one that involves major policies, the sovereignty of nations, and important aspects of the evolution of international law. The answer lies clearly outside a study devoted to the technique, organization, and personnel aspects of international administration.

## 2. ANALOGY AND DIFFERENCES IN TECHNIQUE

The question now remains to be answered whether there is an international administrative technique, properly speaking, distinct from that of national public administration in general.

From a technical viewpoint, international administration uses the same media for the dispatch of its business as national administration in the modern sense of the term, meaning those rational processes of organization that have evolved since centralized government and professional civil service emerged in the eighteenth century. Mr. Donald C. Stone is essentially right in stating that "public administration is generic in character — applicable wherever organized activities are carried out in a continuing manner. There is no practical support to the contention that international administration is different in nature from any other kind of administration, or that the experience of administration within the national domain is not transferable to the international area."<sup>3</sup>

As far as office organization is concerned, and its technique of dealing with incoming and outgoing dispatches, and of recording and register-

<sup>3</sup> Donald C. Stone, *Administrative Aspects of World Organization; A Paper Presented at the Fourth Conference on Science, Philosophy and Religion Held at New York City, September 12, 1943* (mimeographed).

ing them, international administration is administration pure and simple. The manner in which these processes are actually organized is not the consequence of some mysterious quality inherent in international administration but is due to a conscious choice from among a number of precedents supplied by existing highly developed and differentiated national administrative systems, and within these systems, of a choice made from among services with comparable functions (not tasks!). And exactly as a newly created country like Czechoslovakia, in establishing central administrative services and a ministerial organization in 1918, could choose from the different techniques evolved in different countries with highly developed administration, so the new international organization created in 1919 could make its selection from among the existing patterns or could decide upon a combination of different types of public administrative experiences. As will be shown more fully later, it was the appointment of a man to the post of Secretary-General who had grown up in the British civil service tradition, and the original establishment of the League's headquarters at London, that gave British usage and technique a natural advantage in the organization of the League's administrative system. It was later, partly at least, supplemented or supplanted by French administrative methods. The League Secretariat was furthermore enriched in subsequent years by the administrative experience brought to Geneva from other countries with their peculiar traditions.

Broadly speaking, international administration of the past adopted the technique of ministerial organization, especially that of foreign offices, rather than that of municipal law-enforcing machinery or social and housing agencies — even when it handled problems of the latter kind. This was due, primarily, to the fact that the international administration was not operational, and therefore did not possess its own international executive agencies. Its functions were consultative, recommendatory, and advisory, and the actual execution of its decisions was delegated to the national or local agencies already functioning or established in view of freely accepted international agreements. In this respect the difference between the two kinds of administration is not one of international versus national administration, but of ministerial administration properly speaking versus operational administration. But just as there are mixed ministerial and operational administrative bodies on the national level, there existed and exists mixed international ministerial and operational administration.

Here any analogies we might draw end, however, International and

national administration stand in a different relation to their policy-shaping organs. National administration is part of the executive branch of government and is under permanent control of the legislative branch of government. The international Secretariat on the other hand is the only permanent element in international organization. Its policy-shaping organs are not legislatures but diplomatic bodies. There is nothing comparable to the executive branch, to a cabinet or ministers executing the policies of an electorate or a congress as in the case of the American representative system of government, or of the parliament as under the parliamentary régime. The head of the international administration is not comparable to a cabinet minister, and failure to recognize this essential difference in national and international administration must lead, and has frequently led, to erroneous conclusions and unjustified criticism regarding the working of the international Secretariat.

It was this basic constitutional difference in the relationship between administrative and policy-shaping bodies in national and international affairs that imposed upon the League Secretariat the need for creating its own technique and procedure in regard to its leadership as well as in its office organization, its external relations, and its staff management.

A somewhat different point of view regarding the difference in the work of national and international administrators was expressed by Mr. Edward J. Phelan in the following terms:

The law which the civil servant administers is the law of his own state, and beyond that field he cannot go. But the international civil servant has no law to administer. Like the national civil servant, he must act within a constitution — for example, the Covenant of the League. But the Covenant of the League is not a constitution in the ordinary sense and it does not set up bodies which make law, but bodies which negotiate treaties. The international civil servant has therefore to deal with a body of treaties and not with a body of law. . . . The fact that he is administering treaties and not law determines many conditions of his work which are different from those of the national civil servant. The national civil servant is working inside a system of which he is part and parcel. The international civil servant is working outside all national systems. The one is administering a single body of law, a coherent expression of a single community; the other is administering treaties, some of which may lay down general rules but many of which represent a series of contracts between very diverse communities.

Law is a very definite thing. But even where treaties lay down general rules there is by no means general agreement as to their legislative character, and when they are (or are regarded as) contracts their interpretation depends in large measure on the parties to them. If the parties agree, they can decide that a treaty means something other than what it appears to say. An identical clause in two treaties between two different sets of parties may be thus interpreted in two absolutely contradictory directions. If it is convenient for one set of parties to

interpret it one way, no desire for uniformity will weigh against such an application.<sup>4</sup>

In its concrete application this implies that there is in the work of the international official an element of uncertainty and indefiniteness absent in the work of the national official and that he cannot therefore, like his national prototype, protect himself behind the law of the country whose servant and executor he is.

Practically everything that has been said regarding the similarity and difference between national public administration and international public administration applies also to the human element. There are qualities and qualifications peculiar to the civil servant which both must possess. A poor national official is in all likelihood also a poor international administrator. But a good national official will not necessarily make a good international civil servant. The latter must possess nearly all the qualifications needed for the discharge of important public work in a national administration: the same combination of initiative and meticulousness, the same devotion to duty and accuracy of mind, the same synthesis of personal conviction and the faculty of putting individual views aside in order to execute orders. These qualities he must possess to a greater degree than the national official, for his initiative, steadiness, devotion to duty, and personal convictions will be tested more severely than in a similar capacity under a national administration. While the national official of comparative rank must have the rare quality of being able to think, and often to act, contrary to all his political and social instincts, the international administrator must frequently think and act contrary to his national instincts — the most severe test to which a civilized person of the twentieth-century world can be subjected. ✓

It will be the aim of this study to describe and analyze the specific features of international administration. Apart from surveying briefly the evolution of the idea of the Secretariat, the position of the Secretary-General, and the decision in favor of Geneva as seat of the international headquarters, this monograph will deal exclusively with an investigation of the experience of League administration as such, leaving aside the techniques, patterns, and experiences that it has in common with national administration in so far as these features are not needed for purposes of understanding and comparison.

This treatise falls naturally into three major divisions: International

<sup>4</sup> Edward J. Phelan, "The New International Civil Service," *Foreign Affairs*, Vol. 11 (1933), pp. 310-12.

Leadership, Administrative Machinery, and the human element in this unique machinery —<sup>3</sup> The International Staff.

### 3. TERMINOLOGICAL DIFFICULTIES

Throughout this study, which deals chiefly with administrative processes, patterns, and the human element integrated in them, the author has encountered one particular and wholly unexpected difficulty, and he must confess his inability to find a fully satisfactory solution. This difficulty lies in the absence of wholly comparable administrative terminologies intelligible to American and European students alike. Civil service traditions of the United States are different from those of all the European countries, Great Britain and its colonial administration included. There is a British term for practically all German, French, Italian, Spanish, or Austrian administrative institutions, but these British terms are generally not used, or not used in an identical sense, in the United States. American terminology, on the other hand, does not always apply to European concepts — there are often no comparable institutions or patterns of organization. Moreover, the moment one deals with personnel questions one becomes aware of the fact that there are no clear-cut divisional lines of demarcation in the American Federal service. The use of the English civil-service terminology is therefore often unintelligible to the American reader (unless he has specialized in questions of comparative administration), in some cases it is even outright misleading. An example, from many: what the British call the Administrative Class or Administrative Rank would not to most Americans be a class or a well-defined rank at all. Moreover, these terms would not suggest to them that this category includes the "Executives," the top-ranking officials. "Executive Grade," as used in the British civil-service terminology, comprises the category of officials below the administrative grade. It is applied in Britain to officials charged with higher clerical, lower supervisory, or field, work entrusted to the administration.

The author would have been happy to leave the task of worrying over terminological questions to others had not the duty of describing and interpreting the League administration compelled him to be permanently on guard against the danger of creating false connotations or associations of ideas in the mind of the American reader for whom this study is especially designed. As the League administration was based upon European, chiefly English and French administrative patterns

and traditions, there was no way of avoiding the difficulty. In introducing terms which could have created misunderstandings an attempt was therefore made to define them and to remain permanently conscious of possible misunderstandings arising from a different use of the same terms here and in Europe or the absence here of corresponding patterns, rules, or institutions which are common to the civil services in Europe and to the League of Nations.

Should these remarks help to encourage a serious study of comparative administrative terminology the author would feel amply rewarded; for he believes that with the increasingly close contacts of American with foreign administrations and with active participation of the United States in the international organization a certainty, misunderstandings due to the lack of a mutually intelligible terminology have become dangerous and wholly unnecessary.

## CHAPTER II

### POWERS AND FUNCTIONS OF THE SECRETARIAT

#### I. THE BIRTH OF AN IDEA

It is a fascinating but at times disheartening spectacle to follow the evolution of the idea of an international Secretariat all through its different stages, from the first suggestion in the so-called *Smuts Plan* to its final crystallization in the Covenant. We witness at close range the birth of a new idea full of future bearing but we also watch the rejection of some suggestions that might have proved beneficial to the evolution of international administration had they not been discarded.

Neither the *Phillimore Plan* (dated March 20, 1918) nor the *Draft of Colonel House* of July 16, 1918, contained references to any administrative machinery of the future international organization. *President Wilson's First Draft* contented itself with stating that the Body of Delegates (the term originally used for the Assembly) "shall organize a Secretariat to act as their ministerial agency."<sup>1</sup>

The *Smuts Plan*, entitled "The League of Nations, A Practical Solution," went a good deal further into details. It provided for the creation of "a permanent secretariat and staff, which will keep the minutes and records of the council, conduct all correspondence of the council, and make all necessary arrangements in the intervals between the meetings of the council."<sup>2</sup> General Smuts compared the head office organization with "that of a general staff which studies and watches closely all conditions anywhere developing which might call for action or counsel on the part of the league." He evidently visualized a large administrative organization of some sort which would keep the Council in contact with the affairs of all countries, take over or control the administrative work of the earlier international bureaus, make investigations in technical fields such as those of economic, transit, and health questions, and prepare material for final consideration. He spoke of the body or bodies called upon to perform these duties variously as "the permanent staff"; "the permanent staff of the Council"; "the head office organ-

<sup>1</sup> David Hunter Miller, *The Drafting of the Covenant* (New York, etc.: G. P. Putnam's Sons, 1928), Vol. II, Document 3, p. 12.

<sup>2</sup> *Ibid.*, Document 5, p. 43. The Smuts Plan is dated December 16, 1918.

ization"; "expert committees and commissions on the staff of the league."<sup>3</sup>

The need for a secretariat thus having been recognized, all subsequent drafts incorporated some allusion or statutory clauses relative to the administrative machinery. *President Wilson's Second Draft* (the first Paris draft) contained the following stipulations in Article II:

The Executive Council shall appoint a permanent Secretariat and staff and may appoint joint committees chosen from the Body of Delegates or consisting of specially qualified persons outside of that Body, for the study and systematic consideration of international questions with which the Council may have to deal, or of questions likely to lead to international complications or disputes. It shall also take the necessary steps to establish and maintain proper liaison both with the foreign offices of the signatory powers and with any governments or agencies which may be acting as mandatories of the League of Nations in any part of the world.<sup>4</sup>

The next plan in chronological order, the *Cecil Plan* of January 14, 1919, provided that "For the conduct of its work the Inter-State Conference will require a *Permanent Secretariat*."<sup>5</sup>

The *British Draft Convention* of January 20, 1919, in keeping with the concept of the League as it was evolving in those days, omitted any reference to the Inter-State Conference and proposed that "There shall be established a permanent international secretariat of the League."<sup>6</sup>

The next major document in the evolution of the Covenant prior to the first meeting of the League of Nations Commission of the Peace Conference, the *Cecil-Miller Draft*, dated January 27, 1919, made the "Executive Council" the appointing authority for the permanent Secretariat *and staff*: "The Secretariat shall be under the general control and direction of the Chancellor of the League. . . ." <sup>7</sup> But it is the so-called *Revision of Mr. Hurst* (Sir Cecil Hurst) which takes a special place in a survey on the genesis of the League Secretariat. Mr. Hurst's draft contained not only all the more important elements of the definitive Covenant text but was almost literally identical with the final formulation of the respective paragraph of Article VI. It is therefore justifiable to call the general conception of the Secretariat British.<sup>8</sup> The relevant paragraph read as follows:

<sup>3</sup> Miller, *op. cit.*, Vol. II, Document 5, pp. 43-44.

<sup>4</sup> *Ibid.*, Document 7, p. 67. President Wilson's Third Draft (the second Paris draft) of January 20, 1919, contains an identical text.

<sup>5</sup> *Ibid.*, Document 6, p. 61.

<sup>6</sup> *Ibid.*, Document 10, p. 108.

<sup>7</sup> *Ibid.*, Document 12, p. 133.

<sup>8</sup> Philip Baker, "The Making of the Covenant from the British Point of View," in Rask-Ørstedfondet, *Les origines et l'œuvre de la Société des Nations* (Copenhagen, etc.: Gyldendalske Boghandel, 1924), Vol. II, p. 23.

The permanent Secretariat of the League of Nations shall be established at . . . . ., which shall constitute the capital of the League. The Secretariat shall comprise such secretaries and staff as may be required under the general direction and control of a Chancellor of the League by whom they shall be appointed.<sup>9</sup>

*Wilson's Fourth Draft* (the third Paris draft) of February 2, 1919, may be disregarded as this draft was never considered. It did not contain any new ideas regarding the Secretariat.

We have thus arrived at the eve of the First Meeting of the League of Nations Commission. This was the moment when the joint drafts of the British and American representatives were brought face to face with the ideas of the other Allies.

When the Commission met for the first time on February 3, 1919, it had before it the Hurst-Miller draft agreement of the Covenant, as well as Italian and French proposals. The draft scheme submitted by the Italian delegation suggested with respect to administrative machinery that "There shall be appointed, at the discretion of the Council, a permanent Secretariat. . . . Its duties shall be to prepare and co-ordinate the business of the Conferences, to record all decisions, and to deal with the documents concerned."<sup>10</sup> The French proposals were more interesting from the point of view of international administration, and, furthermore, they contained suggestions for military sanctions of very far-reaching effect. The first of these sections, entitled *Permanent Staff*, provided that —

A permanent international Staff shall investigate all military questions affecting the League of Nations. Each State shall appoint the officer or officers who shall represent it in a proportion to be determined later.

The Chief and Deputy Chiefs of Staff shall be appointed for a period of three years by the International Body, from a list submitted by the member States.<sup>11</sup>

The second, entitled *Functions of the Permanent Staff*, read as follows:

It shall be the duty of the permanent international Staff to deal, under the supervision of the International Body, with everything relating to the organisation of the joint forces and the eventual conduct of military operations. It will in particular be charged with the task of inspecting international forces and armaments in agreement with the military authorities of each State, and of proposing any improvements it may deem necessary, either in the international military organisation or in the constitution, composition, and methods of recruiting of the forces of each State.

<sup>9</sup> Miller, *op. cit.*, Vol. II, Document 13, p. 143.

<sup>10</sup> *Ibid.*, Document 19, p. 249. The Italian draft scheme is undated.

<sup>11</sup> *Ibid.*, p. 242. The French draft adopted by the French Ministerial Commission for the League of Nations is dated June 8, 1918.

The Staff shall report the result of its inspections, either as a matter of routine or at the request of the International Body. Military instruction shall be given in each member State in accordance with the rules designed to procure, as far as possible, uniformity in the armaments and training of the troops destined to act in concert.<sup>12</sup>

The Italian scheme was never discussed at all. The French proposals were hardly considered as such, as President Wilson in opening the proceedings "suggested and assumed that the Commission would agree that his own project should be taken as the basis of its work."<sup>13</sup> The Commission listened, from time to time, to the exposition of the French ideas by M. Bourgeois and M. Larnaude, but never went sufficiently into the details of these proposals to deal with their administrative aspects. The *a priori* rejection by Britain and the United States of the French ideas aiming at the insertion in the Covenant of proposals for an international army, precluded any discussion of administrative provisions needed in case of the acceptance of these suggestions. In conclusion, it can be said that the presence of the French, Italian, Japanese, Belgian, Brazilian, Chinese, and Portuguese delegations left hardly any trace upon the stipulations regarding the permanent Secretariat. The text was in essence adopted in the form of Mr. Hurst's "Revision" of January, 1919, which form it had reached prior to the first meeting of the League of Nations Commission.

Mr. Philip Baker, who was a witness to a good deal of the preliminary discussions and who participated in the deliberations of the League of Nations Commission, denies that the real intention of the authors of the Covenant had been to base the Secretariat organization upon "a series of national delegations responsible, not exclusively to the Council of the League, but to their own Governments as well."<sup>14</sup> Documentary evidence and personal recollections of witnesses seem to prove, however, that none of the delegates had any clear idea with respect to the scope of the Secretariat of the League they were creating nor of the importance international administration was to assume within the framework of the League. In the final stage, Article VI was accepted, with only a few verbal changes,<sup>15</sup> in the form agreed upon by the British and American delegates.

<sup>12</sup> Miller, *op. cit.*, p. 242.

<sup>13</sup> Baker, "The Making of the Covenant from the British Point of View," *op. cit.*, p. 23.

<sup>14</sup> *Ibid.*, p. 41.

<sup>15</sup> Florence Wilson, *The Origins of the League Covenant; Documentary History of Its Drafting* (London: The Hogarth Press, 1928), p. 40.

## 2. SCOPE AND RANGE OF ACTIVITIES

An attempt will now be made to define the powers and functions of the Secretariat as determined by its constitution and subsequent official interpretations.<sup>15a</sup> The implementation of these powers in practice and their actual evolution are treated throughout subsequent chapters. Moreover, a special chapter at the end of this volume on "The Rôle of the Secretariat in League Policies" endeavors to evaluate the rôle of the Secretariat in the light of actual experience.<sup>15b</sup>

Article II of the Covenant states that —

The action of the League under this Covenant shall be effected through the instrumentality of an Assembly and of a Council, with a permanent Secretariat.<sup>16</sup>

Article VI reads as follows:

1. The permanent Secretariat shall be established at the Seat of the League. The Secretariat shall comprise a Secretary General and such secretaries and staff as may be required.

2. The first Secretary General shall be the person named in the Annex; thereafter the Secretary General shall be appointed by the Council with the approval of the majority of the Assembly.

3. The secretaries and staff of the Secretariat shall be appointed by the Secretary General with the approval of the Council.

4. The Secretary General shall act in that capacity at all meetings of the Assembly and of the Council.

5. The expenses of the League shall be borne by the Members of the League in the proportion decided by the Assembly.

Apart from the stipulations contained in Articles II and VI, the functions of the Secretariat are indicated in Articles VII, XI, XV, XVIII, and XXIV of the Covenant<sup>17</sup> and implied in the rest of that instrument, as well as in other parts of the peace treaties. These duties

<sup>15a</sup> A survey and analysis of the functions which have been thrust upon the Secretariat under international conventions concluded under the auspices of the League will be found in Appendix I to this volume.

<sup>15b</sup> *Infra*, pp. 391-401.

<sup>16</sup> William Rappard pointed out that "the French text, 'une Assemblée . . . un Conseil assistés d'un Secrétariat permanent,' indicates rather more clearly [than the English text] that the Secretariat was conceived to be an auxiliary body, intended to assist the Assembly and the Council." "The Evolution of the League of Nations," *American Political Science Review*, Vol. XXI (1927), p. 810.

<sup>17</sup> For text of the Covenant and subsequent amendments as quoted throughout the volume, see Manley O. Hudson, *International Legislation; A Collection of the Texts of Multipartite International Instruments of General Interest Beginning with the Covenant of the League of Nations* (Washington: Carnegie Endowment for International Peace, 1931), Vol. I, pp. 1ff.

have further been defined, interpreted, and developed in the course of the League's work.<sup>18</sup>

The Noblemaire Report of 1921 defined the responsibilities entrusted to the Secretariat as follows:

in the preparation of the work and the decisions of the various organisations of the League, it should regard it as its first duty to collate the relevant documents and to prepare the ground for these decisions without suggesting what these decisions should be; . . . once these decisions had been taken by the bodies solely responsible for them, it should confine itself to executing them in the letter and in the spirit.<sup>19</sup>

The Committee of Thirteen, surveying the position in 1930, accepted the definition of the duties of the Secretariat contained in the Noblemaire Report, and added that this rôle —

may doubtless be compared in some respects with that of Government Departments. It should not be forgotten, however, that its work is carried on under very special conditions. . . . The relations of the Secretariat with the responsible organs of the League have, besides, special characteristics. These organs meet at fairly long intervals and can hence only exercise intermittent supervision.<sup>20</sup>

In another context the Report of the Committee of Thirteen stated that "the Secretariat does not initiate policy. It is a purely executive body."

The Minority Report attached to the Report of the Committee of Thirteen did not fully accept this restrictive interpretation:

In practice, [it stated] the work of the Secretariat to-day is quite different from what was anticipated in 1921. The division of work between the different capitals and Geneva has developed in such a way that the political character of the Secretariat's work has become much more accentuated than was thought likely. Not only does the execution of decisions taken by the various organs of the League constantly require interpretations and judgments of a political nature, but the preliminary work entrusted to it makes it an adviser in the various spheres of League work.<sup>21</sup>

Even if we accept the broader interpretation contained in the Minority Report, the activities of the Secretariat remain severely restricted.

<sup>18</sup> C. Howard-Ellis, *The Origin, Structure & Working of the League of Nations* (London: George Allen & Unwin, 1928), p. 173. For a description of the rôle played by the policy-making organs in the evolution, see *infra*, next chapter.

<sup>19</sup> *Op. cit.*, p. 3.

<sup>20</sup> Committee of Enquiry on the Organisation of the Secretariat, the International Labour Office and the Registry of the Permanent Court of International Justice (Committee of Thirteen), *Report of the Committee*, p. 8.

<sup>21</sup> *Ibid.*, p. 29.

They consist in the *general* task of ensuring the observance of the Covenant and of other obligations assumed by the League <sup>22</sup> as well as in the specific tasks enumerated in the official handbook, *Ten Years of World Co-operation*,<sup>23</sup> as follows:

The Secretariat is the civil service of the Council and the Assembly, and of the Committees. . . . During the sessions, the Secretariat prepares the minutes and is responsible for administrative details. Between the sessions, it prepares the work of future meetings and supervises the execution of the decisions adopted.

Moreover, the Secretariat keeps all the records of the League.<sup>24</sup> It serves as a link between member States, between the League and its organs, and between the member States and the League, and thus "provides the League with the continuity and coherence which save it from being merely a loose collection of bodies, each holding a series of disconnected meetings."<sup>25</sup>

Sir Alfred Zimmern therefore correctly characterizes the Secretariat "as the residuary legatee of the power which flows into Geneva from the various centers of government,"<sup>26</sup> and defines its powers as follows: first, the power derived from the work of negotiation; secondly, the power residing in the domain of procedure; thirdly, the power constituted by the fact of being on the spot to deal with emergencies; and, lastly, the power inherent in the Secretariat's knowledge of the League as a whole and its possibilities of controlling what the world outside shall know of its working.

The Report of the Committee of Thirteen pointed out that the Secretariat differed from all other organs of the League inasmuch as it alone among them is permanently operating. This is, however, not the sole and not even the most important feature distinguishing the League from national administration, which is carried on under the constant direction and supervision of the executive branch of the government and of national legislatures. The chief dissimilarity is found in the different constitutional positions of the international and national administrations. This constitutional difference has already been described in the chapter on "Characteristics and Problems of International Administration" and will be referred to all through the

<sup>22</sup> Alfred Zimmern, *The League of Nations and the Rule of Law, 1918-1935* (London: Macmillan and Co., Limited, 1936), p. 299.

<sup>23</sup> Published by the Secretariat of the League of Nations, 1930 (p. 15).

<sup>24</sup> Raymond Leslie Buell, *International Relations*, revised edition (New York: Henry Holt and Company, 1932), pp. 719-20.

<sup>25</sup> Helen Moats, *The Secretariat of the League of Nations; International Civil Service or Diplomatic Conference* (Chicago, 1936). Typewritten thesis.

<sup>26</sup> Zimmern, *op. cit.*, pp. 467-79, at p. 472.

subsequent chapters. Here it must suffice to say that the League Secretariat is the servant of many governments which have not delegated their power to an international government or cabinet directing the activities of the League and its administration but have embodied their will in common agreements and decisions the execution of which rests with the cooperating member States.

In the past there existed in times of crisis a widespread tendency on the part of the public to confuse the Secretariat with the League itself. Newspapers tried to ascertain the opinions held in the Secretariat on specific questions and to disseminate them as "League opinion" despite violent protests on the part of the administration. Mr. Roth Williams has rightly pointed out that the Secretariat in Geneva was "no more the 'League of Nations' than the State Department in Washington, D. C. is the 'United States of America.'"<sup>27</sup> But even this statement does not go far enough. For while the Department of State initiates policies and suggests action to the Chief of the Executive Branch, the League of Nations Secretariat is prevented by its constitution from such activities.

<sup>27</sup> Roth Williams, *The League of Nations To-day; Its Growth, Record and Relation to British Foreign Policy* (London: George Allen & Unwin, Ltd., 1923), p. 51.

## CHAPTER III

### RÔLE AND DECISIONS OF THE POLICY-MAKING ORGANS

#### I. THE FOURTH COMMITTEE AND THE SUPERVISORY COMMISSION<sup>1</sup>

The Assembly of the League was not subject to limitations in dealing with any question, political or not, within the constitutional powers vested in it by the Covenant. There was nothing in the Covenant entrusting the Assembly with special tasks with reference to the League administration or to staff matters, except in regard to the appointment of the Secretary-General. It was, moreover, not equipped at all to deal with questions of internal administration. Yet, the budgetary prerogatives of this body led it increasingly to concern itself with the Secretariat, its organization, and staffing. This was effected through the instrumentality of one of its committees, the Fourth (Budget) Committee, originally largely composed of national treasury experts. But as salaries constituted by far the greater part of the expenses of the Secretariat, the ILO, and the Permanent Court of International Justice,<sup>1</sup> the Committee came to devote more and more of its time to the discussion of staff questions, so much so that these matters overshadowed considerably the purely financial debates in certain years. The administrative measures taken by the Secretary-General were constantly scrutinized and shaped by the opinions expressed during the prolonged and often heated annual debates of this committee. This was in many respects an unfortunate development. The discussions in the Fourth Committee led to public and therefore sometimes demagogic debates on details which are not usually dealt with by the policy-making organs and which should exclusively be left to the discretion of the head of the civil service.

It is absolutely impossible for anybody not intimately connected with the work of the Secretariat on the inside, to capture the atmosphere in which the decisions of the Assembly in the years 1930-32 were made, without a very close study of the records of the proceedings of the Fourth Committee in those years. In 1930, on the occasion of the discussion of the Report of the Committee of Thirteen the

<sup>1</sup> See chapter on "League Budget and the Secretariat," *infra*, p. 226.

Fourth Committee held no less than seventeen meetings, and its minutes cover not less than 255 large printed pages. In conformity with the procedure adopted by all committees of the Assembly, the Fourth Committee submitted its reports to the plenum of the Assembly. These reports embodied the gist of the Committee's deliberations, and, in addition, contained recommendations or resolutions. The Assembly, especially in later years, rarely discussed internal affairs in plenary meetings and for the most part confined itself to taking note of or adopting the reports and adopting the proposed resolutions, usually without debate or amendments.

The picture would be incomplete, however, without a proper recognition of the rôle or evolution of the Supervisory Commission, whose annual reports are one of the most important and one of the most neglected sources for the study of the evolution of the Secretariat. Since its inception the Supervisory Commission has held almost one hundred sessions, and it is the only League committee that has continued, in spite of the extraordinary difficulties of doing so, to meet almost regularly since the beginning of World War II. Nothing in the evolution of the instrumentalities of the League is more amazing than the rise of the Supervisory Commission from a modest auxiliary body to the most important single committee as far as the Secretariat was concerned, and, after 1939, to the exercise of a good deal of the authority of the Council and the Assembly. The idea of creating this committee was rejected in 1920 on the ground that such a committee was superfluous. The Second Assembly, however, a year later reversed its policy and recommended the creation of a small commission of control to be appointed by the Council. Like all the permanent or semi-permanent committees, and like the overwhelming majority of the other committees, the Supervisory Commission was originally appointed by the Council. It was, from the point of view of the League, an almost revolutionary step when Mr. Carl J. Hambro (Norway) proposed to the Ninth Assembly that the members of the Supervisory Commission should be appointed by the Assembly on the ground that full control of expenditures should reside in the body in which all nations that contributed financially were directly represented. Acting on this proposal the Assembly decided to make the Supervisory Commission what a Swiss delegate called the "first permanent committee of the Assembly."<sup>2</sup>

<sup>2</sup> Margaret E. Burton, *The Assembly of the League of Nations* (Chicago: University of Chicago Press, 1941), p. 96.

In Mr. Felix Morley's judgment,<sup>3</sup> this was "a constitutional change of the first magnitude," materially altering the balance of power between Council and Assembly. Even if we do not accept this far-reaching interpretation, it can be said without fear of contradiction that this step reflected clearly the shift from the Council to the Assembly which continued all through the twenties and thirties.

The question of the relationship of the Supervisory Commission to the Council, the Assembly, and the Secretariat is one meriting closer attention than it has found heretofore. Constitutionally, the Supervisory Commission had no policy-shaping function. Its duty was to ensure the carrying into effect of policies in regard to economy which had been decided upon by the Assembly. The Commission began its activities safeguarding the execution of the policies of the Assembly, it proceeded to interpret them in the light of its knowledge of facts and figures, and, eventually, suggested and even dictated policies.<sup>4</sup> This shift in the function performed by the Supervisory Commission was described by a high official with more than twenty years of service in the Secretariat as follows:

insensibly it got into the position not of considering the question of how a given piece of work can be most economically done, but into a quite different position of advising strongly and often and to the extent of deciding the different questions, i.e. *should* this or that piece of work be done at all; or should it be done in preference to another one? I think it was one of the great defects of the organization that such a body should ever have got into this position.<sup>5</sup>

The evolution of the Supervisory Commission was so striking that Mr. Howard-Ellis did not hesitate to speak in 1927, when the Supervisory Commission had by no means reached the zenith of its power, of a "usurpation of power" by this Commission, and of "the wrongness in principle of referring questions of policy to the Supervisory Commission."<sup>6</sup>

<sup>3</sup> Quoted by Burton, *ibid.*, p. 230.

<sup>4</sup> The greater resistance against the growing power displayed by the Supervisory Commission on the part of the different directors of the ILO, the existence in that organization of a separate policy-shaping "executive" body — the Governing Body — altogether independent of the Assembly, and the lesser familiarity of the members of the Supervisory Commission and of the Fourth Committee of the Assembly with the problems and conditions in the ILO, resulted in greater independence of the ILO administration from the Supervisory Commission. The latter never secured that hold over the Labor Office that it established over the League Secretariat. It cannot be denied that this worked on the whole to the advantage of the ILO.

<sup>5</sup> *Proceedings of the Conference on Experience in International Administration Held at Washington on January 30, 1943, under the Auspices of the Carnegie Endowment for International Peace* (Washington: Carnegie Endowment for International Peace, 1943). Mimeographed.

<sup>6</sup> Howard-Ellis, *op. cit.*, p. 447.

The rise of the Supervisory Commission was due to a number of factors: the increasing need on the part of the administration of some sort of parliamentary support for its budget, the fact that it was impossible for the majority of the members of the Fourth Committee to master the intricacies and growing complexity of the League budget, and the passionate interest taken by the members of the Supervisory Commission in working more and more as a team and becoming more and more the voice of the member States in all questions pertaining to the internal working of the administration. Whatever truth may have been contained in Mr. Howard-Ellis' statement of 1927 that the Commission's "composition and functions make it radically incompetent to utter any opinion" <sup>7</sup> on League policies, later developments have certainly not borne out this judgment. For the Commission became under the leadership, first, of M. Osusky and, later, of Mr. Hambro, the arch defender of the League and a stalwart supporter of the Secretariat's legitimate claims. The conflict of the Commission with the second Secretary-General in the 1940 European crisis was a direct consequence of the fact that, in the face of strong opposition, it upheld the interest of the League and its staff when they seemed abandoned by its highest magistrate.

The position which the Supervisory Commission had established for itself became evident to the world at large when the international crisis made the normal working of the League machinery increasingly difficult. The Assembly of 1938 invested the heads of the Secretariat and the ILO, "acting with the approval of the Supervisory Commission which may take all decisions by a majority vote," with the Assembly's power in the administrative and financial field. The Assembly of 1939 renewed this delegation of power and, for the year 1940, invested the Supervisory Commission with the financial and administrative powers of the Council.<sup>8</sup> At a meeting held at Estoril (Portugal) on September 28, 1940, the Supervisory Commission decided that "unless and until the Assembly decides otherwise" all the powers and functions conferred on the Council by the Regulations for the Financial Administration or the Staff Provident Fund may be exercised by the Supervisory Commission. The Commission had thus assumed in the last stage some of the most important powers vested constitutionally in the Council and in the Assembly. The reports of the Supervisory Commission for the years 1940-44 are the most important, in some respects the sole source

<sup>7</sup> Howard-Ellis, *op. cit.*, p. 447.

<sup>8</sup> *Report of the Supervisory Commission for the Year 1940*, Geneva, November 4, 1940, L.N. Document C.152.M.139.1940.X.

for the understanding of the last stage in the evolution of the League. All this reflects an evolution which, it is hoped, will not recur in the new international organization emerging out of World War II.

## 2. MAJOR ENQUIRIES AND REPORTS

A number of reports presented to the Council or the Assembly, and the resolutions accompanying them, mark as milestones the forward march of the Secretariat. They not only trace the development of the International Secretariat but reflect better than anything else the rôle played by the policy-making organs in the evolution of international administration. No full understanding of the development is possible without a fair comprehension of the part they played in the history of the Secretariat. As these reports and decisions will be referred to and quoted throughout this volume it seems advisable to devote a special section to them and to the other source material which marks the progress of the administration.

The chief official documentary sources from which the internal evolution of the Secretariat may be gauged are as follows:<sup>9</sup>

Decisions of the Committee of Organization (set up on April 28, 1919);

Report of Mr. A. J. Balfour (May, 1920);

Report of the Fourth Committee (Noblemaire Report) adopted by the Assembly in 1921;

Report of the Committee of Thirteen (1930) and of the new Committee of Thirteen (1931);

Resolutions of the 1930, 1931, and 1932 Assembly concerning the organization of the Secretariat and the principal officers;

Report of the Special Committee on the Development of International Cooperation in Economic and Social Affairs of 1939 (Bruce Report);

Reports of the Supervisory Commission;

Records of the Fourth Committee of the Assembly; and

Discussion of the reports of the Fourth Committee in plenary meetings of the Assembly — the adoption of the resolutions attached to them;

League of Nations Budget published annually in the *Official Journal*.<sup>10</sup>

Important secondary sources of information are the *Audited Accounts* and, to a minor degree, the year by year accounts of activities contained in the Report "on the work of the Council since the last session of the Assembly, on the Secretariat, and on measures taken

<sup>9</sup> For complete citation of these documents, see "Bibliography," *infra*.

<sup>10</sup> Chief source for staff questions.

to execute the decisions of the Assembly" which the Secretary-General submitted under the provisions of Rule 4, paragraph 2, of the Rules of Procedure.

The discussions referring to the development of the Secretariat found their crystallization chiefly in three important reports: that presented by Lord Balfour in May, 1920; the Noblemaire Report of 1921; and the Report of the Committee of Thirteen, 1930.

These reports reflect the collective responsibility felt by the governments in the establishment and proper functioning of the international machinery. They can be divided into two categories: the early reports are important for the principles they lay down and the sanction they give to the policies initiated by the Secretary-General on his own responsibility; the importance of the later reports, notably that of the Committee of Thirteen, lies in the light they shed upon the critical situation which had arisen in the life of the Secretariat and the direction they give to its further development. If the initiative was with the Secretary-General in the first phase, i.e., until about 1930, it clearly passed to the Assembly in the second. If the early reports, for example, the Noblemaire Report, take great pains in underlining that no interference with the prerogatives of the Secretary-General is intended, later reports emphasize the right and duty of the governments to investigate, to decide, and to direct. The following paragraphs summarize the main policy-shaping suggestions and evaluations contained in the major reports.

(i) The *Committee of Organization* was set up by the Plenary Session of the Peace Conference on April 28, 1919, "to prepare plans for the organization of the League."<sup>11</sup> It authorized the Acting Secretary-General to engage a temporary staff. The resolution adopted by the Committee reflected the tendency to keep the Secretary-General on an ambassadorial level rather than on one of equality with statesmen. It was silent regarding the tenure of staff.

(ii) The *Balfour Report*,<sup>12</sup> the chief content of which is summarized in four resolutions adopted by the League of Nations Council on May 19, 1920, recommended that, in appointing the staff, the Secretary-General should endeavor to secure the assistance of the men and women best qualified to perform the duties assigned to them while taking into account the necessity of selecting persons of different nationalities. No

<sup>11</sup> Miller, *The Drafting of the Covenant*, Vol. I, p. 493.

<sup>12</sup> "Staff of the Secretariat; Report Presented by the British Representative, Mr. A. J. Balfour," O. J., 1920, pp. 136-39.

nation or group of nations should have a monopoly in furnishing the staff for the Secretariat. The members of the Secretariat, once appointed, were to become for the time being exclusively officials of the League; their duties were international.

(iii) The *Noblemaire Report*,<sup>13</sup> so called after its *Rapporteur*, a Frenchman, is the most important single document in this series. Adopted by the Assembly of the League of Nations on October 1, 1921, it is, with only slight changes, a reproduction of the conclusions and proposals of the Committee of Experts appointed in accordance with a resolution adopted by the First Assembly at its meeting on December 17, 1920, setting up an "Enquiry into the Organisation, Method of Work, Efficiency, Number, Salaries and Allowances of the Staff, General Expenditure of the whole Organisation, and any other factors which may enable the Assembly to form an opinion based on a full knowledge of the facts."<sup>14</sup> Roughly speaking, the Noblemaire Report approved the general lines of policy adopted by the Secretary-General. It made the concept of the international civil service the official policy of the community of member States, proposed salaries which remained with minor fluctuations the accepted level for the Secretariat and the ILO, and laid down instructions for the international composition of the staff and the conditions of promotion and engagement which governed the practice of the Secretariat with only slight modifications until 1940. This report devotes little attention, comparatively speaking, to the problems of the higher direction of the Secretariat on which later enquiries and discussions were primarily focussed. The particular value of the Noblemaire Report lies in the fact that in all major questions it sanctioned a concept and *modus procedendi* which corresponded to the views held by the Secretary-General and encouraged him to continue a policy that made the Secretariat a clearing-house rather than an active and policy-shaping agency.

(iv) While the reports mentioned so far may be said to cover the initial stages in the development of the Secretariat, the Committee of Thirteen of 1930 and the new Committee of Thirteen of 1931 were appointed at a time when the Secretariat, having grown with amazing rapidity, found itself at the crossroads of its development. The Secretariat was at that moment endangered by the clash of two concepts

<sup>13</sup> *Organisation of the Secretariat and of the International Labour Office*, L.N. Documents C.424.M.305.1921.X. and A.140(a).1921. (Noblemaire Report.)

<sup>14</sup> For the report of this Committee of Experts, see "Organisation of the Secretariat and of the International Labour Office: Report . . .," L.N., *The Records of the Second Assembly, Meetings of the Committees*, Vol. II, pp. 174-222.

which prevailed among member States — a situation primarily due to the presence of Germany in the League and the changed attitude of Italy. At the same time it was threatened by a growing dissatisfaction among staff members with their conditions of employment and opportunities for promotion. A certain restlessness had taken hold of the personnel like a slow fever. The experimental stage had come to an end and the administration had to settle down to permanent patterns. For the first time the member States were not able to reach full unanimity in their conclusions, as is evident from the fact that the Report of the Committee of Thirteen consisted of a majority report and strong minority statements, though on most of the major questions a good deal of agreement and common ground was recorded.

The *Report of the Committee of Thirteen* (1930) followed the Noblemaire Report in reiterating the basic conception of the Secretariat as a clearing-house and in putting itself on record in favor of the preservation of the international civil service character of the staff. It also followed in the footsteps of the Noblemaire Report regarding the level of salaries but emphasized more strongly than that report that the salaries "cannot be less than those drawn by the best paid officials in the national civil services."<sup>15</sup> The Committee of Thirteen Report stresses particularly the guarantees "as regards the application of the Staff Regulations" and the need of associating the staff with "the task of ensuring satisfactory administration of the Regulations."<sup>16</sup> It contained concrete proposals for the establishment of a Pension Scheme destined to replace the Staff Provident Fund,<sup>17</sup> and in doing so completed the provisions guaranteeing the staff not only on paper, but in reality, security comparable to that of national civil servants in the majority of civilized countries. This proposal alone would suffice to secure the report its place as marking one of the major phases in the evolution of the Secretariat. The Report of the Committee of Thirteen also followed the Noblemaire Report in differentiating between the highest officials and the other members of the Secretariat regarding tenure of office but goes considerably beyond the Noblemaire Report in emphasizing the need for a clear distinction between two types of officials: those with temporary contracts — the higher and highest officials — and those with permanent contracts. While retaining the principle of permanency for the majority of the members of the First

<sup>15</sup> Committee of Thirteen, *Report*, p. 17.

<sup>16</sup> *Ibid.*, p. 20.

<sup>17</sup> See chapter on "Duration of Service, Advancement, and Security," *infra*, pp. 311-15.

Division,<sup>18</sup> laid down by the Noblemaire Report, the Report of the Committee of Thirteen put greater emphasis upon appointments of technical experts, persons with special political or other qualifications, and persons engaged temporarily for urgent and exceptional work. The staff should be composed, it was suggested, "of two elements — one stable and tending towards that type of 'international man' . . . committed to the strictest and most scrupulous impartiality in examining and solving all problems submitted to it; while the other would be temporary and specialised, freer in judgment and able so to modify solutions as to make them acceptable to the various nations."<sup>19</sup>

The major importance of this report in the development of the Secretariat after 1930 thus lay in officially recognizing and approving the duality of the functions of the highest officials,<sup>20</sup> as international officials and as exponents of their countries, without however drawing the logical conclusions from this attitude. On the contrary, by emphasizing the necessity of making possible promotion from the ranks to the highest posts and by enlarging the number of the highest officials it tries to find a synthesis of the needs of the administration proper and of far-reaching concessions to political realism. A study of the Report of the Committee of Thirteen and of its aftermath, the report of the new Committee of Thirteen,<sup>20a</sup> is insufficient in itself as the reports were never formally adopted by the Assembly although they served as a basis for a number of measures that were adopted by the 1930, 1931, and 1932 Assemblies. These reports must therefore be read in conjunction with the Minutes of the Fourth Committee of the Eleventh, Twelfth, and Thirteenth Assembly and the resolutions adopted by the Assembly in these years.<sup>21</sup>

To the Report of the Committee of Thirteen was attached a Minority Report which found considerable attention and support. The principal difference in viewpoint between the majority and minority would seem to have been as follows: The minority was chiefly interested in establishing a Secretariat composed of men of various nationalities who represented the public opinion of their respective countries. It desired

<sup>18</sup> See "Definitions," *supra*, p. xvii.

<sup>19</sup> O.J., Special Supplement No. 84, p. 220.

<sup>20</sup> See "Definitions," *supra*, p. xvii.

<sup>20a</sup> Committee Appointed to Give Further Consideration to Certain Questions relating to the Organisation of the Secretariat, the International Labour Office and the Registry of the Permanent Court of International Justice (New Committee of Thirteen), *Report and Minutes of the Committee*, L.N. Document A.8.1931.X.

<sup>21</sup> On October 3, 1930, the Assembly approved the general obligations of the staff and the rules upon the duration of engagements proposed by the Committee of Thirteen and endorsed by the Fourth Committee of that Assembly.

to see introduced in Geneva a system of international cooperation reflecting the national realities of the different countries. The majority, on the other hand, wished to retain the basic concept of international civil service but to make it more elastic than in the past by favoring a mixed system of permanent and temporary officials.

The Minority Report did not openly challenge the concept of international civil service. Nevertheless, had its proposals been integrally adopted the consequence would have been a basic revision of the system of international civil service. Carried to their logical conclusions, the suggestions of this group would have led to the adoption of the system of national representation rejected by the Secretary-General when organizing his Secretariat in 1919. The Minority Report was therefore rejected by most of the true friends of the League. Nevertheless, it contained a number of pertinent and realistic suggestions which could not be disposed of easily. The argument favoring an Advisory Committee, composed of the principal officers of the Secretariat,<sup>22</sup> left deep imprints upon the subsequent discussion of the basic questions of international administration.

It would be easy to ascribe some of the differences contained in the reports of the majority and minority to ulterior political motives on the part of the minority. But as the differences are officially motivated by considerations of principle and policy it would seem legitimate to accept the views expressed in the Minority Report at their face value, the more so as its guiding spirit, the German delegate Count Bernstorff, was personally a sincere friend of the League, who, after Hitler's rise to power, rather than accept the policies of the Third Reich, went into a self-imposed exile at Geneva which only ended with his death.

The Report of the Committee of Thirteen as agreed to by the majority of its members strengthened the hands of the Secretary-General in a difficult moment. The Committee backed his leadership in all internal questions and made it clear to recalcitrant governments that the chief League members were behind him in his resistance to any undue governmental pressure upon internal affairs. Furthermore, this report pointed out the importance of keeping intact the traditional international spirit of the Secretariat, of maintaining its organization in its essentials, and of preventing it from reacting nervously to all the ups and downs of international policies, while remaining permanently aware of political realities. In this the majority showed wisdom and statesmanship far beyond that displayed by the individual countries in their

<sup>22</sup> See chapter on "The High Directorate," *infra*, pp. 69-74.

policy toward the League as a whole. But while backing the Secretary-General the Committee of Thirteen did not hesitate to show him what kind of concessions to political realities he was expected to make and more especially to guide him in establishing a more satisfactory relationship with his principal collaborators. The passages referring to this should, however, be read with a view to what they imply rather than what they explicitly state, for on the surface they may seem nothing more than a reiteration of accepted policies and usages.

(v) The last among the major reports, that of the Special Committee on International Cooperation in Economic and Social Affairs of 1939, referred to as the *Bruce Report*, came too late. It was drawn up in August, 1939, and its proposals, incorporated in the "Draft Constitution for the Central Committee for Economic and Social Questions," were adopted by the Assembly in December, 1939. The suggestions of the Bruce Report aimed at creating a semiautonomous policy-shaping Central Committee for economic and social questions, to make the technical work of the League independent of the Council and to allow for a participation of states not belonging to the League in its non-political work.<sup>23</sup>

<sup>23</sup> See chapter on "The Emergence of the Economic, Social, and Humanitarian Activities," *infra*, pp. 163-66.



**PART II**  
**INTERNATIONAL LEADERSHIP**



## CHAPTER IV

### THE SECRETARY-GENERAL

#### I. CRYSTALLIZATION OF FUNCTIONS

The Secretary-General is the only person mentioned in the Covenant. At some stage of the Paris discussions in 1919 concerning the League Secretariat and its head, the intention seemed to have prevailed to give the head of the International Secretariat broader powers and a title more indicative of his position than that of Secretary-General. The interpretative notes accompanying the British Draft Convention of January 20, 1919, for example, containing a list of the duties of the head of the Secretariat, suggested the granting of considerable discretionary powers, not only in an emergency but in normal circumstances as well. Apart from enumerating practically all the functions and activities which he was later called upon to fulfil, the British Note specified the following tasks:

(g) He should maintain current relations at the capital of the League with any official representatives whom the member States may accredit to the League.<sup>1</sup>

(h) He should, at the request of two or more member States, make arrangements for any official inter-State meetings. . . .

(i) He should make similar arrangements for any unofficial meetings of an international character which he, *as the representative of the Council*,<sup>2</sup> may consider it advisable to invite to the capital of the League.<sup>3</sup>

These and similar proposals with regard to his duties never came into being. In the Hurst-Miller draft,<sup>4</sup> which formed the basis of the discussions at the opening of the League of Nations Commission of the Peace Conference, functions of the Secretary-General are reduced to: (a) the appointment and "the general direction and control" of the "secretaries and staff";<sup>5</sup> (b) acting "as Secretary at all meetings of the Body of Delegates or of the Executive Council";<sup>6</sup> (c) making "all necessary

<sup>1</sup> It will be remembered that the term "capital of the League," originally coined to indicate the seat of the League, was later dropped, and that the Great Powers in later years discouraged rather than encouraged the practice of accrediting representatives to the League. See chapter on "External Relations," *infra*, pp. 193-94.

<sup>2</sup> Italics author's. No evidence of considering the Secretary-General the *representative* of the Council can be found in later arrangements.

<sup>3</sup> Miller, *The Drafting of the Covenant*, Vol. II, Document 10, pp. 114-15.

<sup>4</sup> *Ibid.*, Document 19, pp. 231-37.

<sup>5</sup> *Ibid.* (Art. 4), p. 232.

<sup>6</sup> *Ibid.*, p. 233.

arrangements for a full investigation and consideration" of a dispute referred to the Council, the parties agreeing "to communicate to the Chancellor statements of their case with all the relevant facts and papers";<sup>7</sup> (d) registering treaties.<sup>8</sup> This corresponds almost exactly to the functions finally vested in him in the Covenant, with one major exception, that of summoning a meeting of the Council in case of emergency on the request of any Member (Article XI). Any trace of authority to initiate policy had disappeared.

The evolution reflected in the difference between the original British ideas and the final text is also obvious in the change of his title. It was at first intended to give the head of the Secretariat the title of "Chancellor," which appears in all drafts and comments upon drafts up to February 13, 1919, when it was abandoned in favor of the less colorful title of Secretary-General.<sup>9</sup> While doubts remained whether the title of Chancellor would have been appropriate in view of the restricted authority finally granted to the head of the International Secretariat, quasi-unanimity exists among persons who have been actively connected with the League from within that the title Secretary-General was insufficiently indicative of the rôle assigned to the holder of this office even under the Covenant.<sup>10</sup>

The text of the Covenant in effect restricted the external powers of the Secretary-General to acting in the capacity of Secretary-General at all meetings of the Assembly and the Council<sup>11</sup> and to summoning meetings of the Council upon "request of any member of the League," in case of an emergency within the meaning of Article XI. Moreover, it was incumbent upon the Secretary-General to make the necessary arrangements for a full investigation and consideration of a notice on the part of any party to the dispute as to the existence of a discord likely to lead to a rupture (Article XV). Internally, i.e., in staff questions, the Secretary-General was given the broadest possible powers. While he is, externally, the Secretary-General of the whole League

<sup>7</sup> Miller, *op. cit.* (Art. 13), pp. 234-35.

<sup>8</sup> *Ibid.* (Art. 21), p. 237.

<sup>9</sup> David Hunter Miller, *My Diary at the Conference of Paris; with Documents* (New York: Appeal Printing Co., 1924), 21 volumes.

<sup>10</sup> It has under these circumstances come as a surprise that the draft scheme originated during the Dumbarton Oaks negotiations in September-October, 1944, speaks of a Secretary-General as the head of the planned United Nations administration.

<sup>11</sup> The tasks and functions incumbent upon the head of the international administration in consequence of this stipulation of the Covenant were laid down, defined, and circumscribed in the *Rules of Procedure* of the Council and the Assembly. The relevant passages are reproduced as Appendix II to this volume. For a complete description of the rights and duties of the Secretary-General, see Walther Schücking and Hans Wehberg, *Die Satzung des Völkerbundes* (Berlin: Franz Vahlen, 1931), pp. 543-46.

organization, he is internally the administrative head of the Secretariat, as distinct from the ILO and the Permanent Court of International Justice. This difference in external and internal functions has led some writers to speak with a certain theoretical justification of a dual personality.<sup>12</sup> In practice this duality was of little importance. His secondary duties as administrative head of the Secretariat tended to overshadow his primary function from the very beginning.

## 2. EXTERNAL POWERS

The limitations imposed upon the external powers of the Secretary-General raise two major questions: whether this restriction was satisfactory in principle; and how far this restriction was modified by precedent and usage.

A complete answer to the first question — whether the restriction of the external powers of the Secretary-General was wise from the point of view of the functioning of the League — transcends the scope of this study. Suffice it to say that in the nearly unanimous opinion of students of international administration his constitutional powers were too restricted and that a greater leeway for the action of the head of the international administration would have profited the organization as a whole and might have contributed to more effective political action on the part of the League.

The second question must be answered more fully. The modification of the far-reaching restrictions imposed by the Covenant upon the Secretary-General's external powers encountered from the beginning strong opposition from without and from within. The unwillingness of the governments to extend of their own accord the range of the powers of the Secretaries-General has already been mentioned. In this the governments would not have been so successful, however, had their policy not met with a similar disposition on the part of the Secretaries-General, who were temperamentally unwilling to assume greater responsibilities on their own initiative. This is closely linked with the attitude of the States, which, in selecting the Secretaries-General, were obviously led by the desire to appoint men who would not by temperament, background, or personal inclination tend to enlarge the scope of their external activities.

The fact that the governments did not desire to extend the external

<sup>12</sup> *The League Year-Book*, 1934 (Judith Jackson and Stephen King-Hall, Eds.), 3d annual edition (London: Ivor Nicholson & Watson, Ltd., 1934), p. 151.

powers of the Secretaries-General, and therefore did not take any initiative in this direction does not mean, however, that they were invariably opposed to it. As a matter of fact they expected the position of the Secretary-General to become increasingly influential as is proved by many early official and non-official statements. The following example may serve as an illustration. An official "Commentary on the League of Nations Covenant" presented to the British Parliament "by command of His Majesty," June, 1919, states:

This organisation has immense possibilities of usefulness, and a very wide field will be open for the energy and initiative of the first Secretary-General. One of the most important of his duties will be the collection, sifting, and distribution of information from all parts of the world.<sup>13</sup>

There was hardly anybody who did not expect the Secretary-General to avail himself of his strategic position in world affairs and to make active use of his unique, truly global, knowledge of facts and trends.

It can under these circumstances be assumed that the creators of the League restricted the external powers of the Secretary-General at the beginning in order not to create an initial position invested with too much power, on the assumption that his functions and rôle would automatically increase with the League's growing influence.

The two Secretaries-General kept scrupulously, even over-scrupulously, within the constitutional limits and did not even avail themselves as fully as they could have done of the marginal possibilities for action and influence open to them. There was nothing in the Covenant, for example, which prevented the Secretary-General from speaking in Assembly or Council meetings. Quite on the contrary. Rule 9 of the *Rules of Procedure*<sup>14</sup> of the Assembly especially referred to this matter by stating that the Secretary-General "may be invited by the President [of the Assembly] to make verbal communications concerning any question under consideration." It clearly depended upon the Secretary-General whether he wished to be invited to address the Assembly or not. The situation which actually arose was thus not altogether attributable to the constitution.

Neither of the two Secretaries-General availed himself to any considerable extent of this and similar opportunities. A few instances are recorded in which the Secretary-General personally intervened in a

<sup>13</sup> Miscellaneous No. 3, 1919, reproduced in *The League of Nations Starts; An Outline by its Organisers* (London: Macmillan and Co., Limited, 1920), p. 230.

<sup>14</sup> L.N. Document C.220.M.92.1931.V.; Hudson, *International Legislation*, Vol. I, pp. 132-49.

public Council meeting. At the opening of the public Council session on January 29, 1932, for instance, Sir Eric Drummond read the Chinese communication demanding the extension of the League action provided for in Article XI to Article XV.<sup>15</sup> On September 18, 1936, M. J. Avenol made a statement to the Council in which he tried to justify his much criticized visit to Rome, undertaken in an attempt to bring Italy back into an active collaboration with the League, by characterizing it as undertaken "in the normal performance of his duties."<sup>16</sup> In a few cases in which budgetary or personnel questions were discussed the Secretary-General asked to be heard; but these cases were exceptional. It was only in private and secret sessions or in some committees, including the Fourth (Budget) Committee of the Assembly, that the Secretaries-General intervened more frequently. One of these occasions was the annual discussion of the budget by the Fourth Committee of the Assembly which it was necessary for the Secretary-General to attend in order to see his budget through. The constitution had, as a high official of the League remarked, placed the Secretary-General in "an intolerable position" in this respect:

The Secretary-General was the government and the cabinet and everything else, but he was in a perfectly helpless position. He had no support on his budget, except from the Supervisory Committee. He had no political support for getting the budget adopted. It was a constitutional misconception for him to be put in that position. Instead of taking a leading part in the Assembly, three-quarters of his time in the course of the Assembly year after year was taken by defending his budget.<sup>17</sup>

The tradition of the Secretary-General addressing the Assembly or the Council could and should have been established in the early days of the League when everything was still in flux. The novelty of the spectacle might have caused a slight initial fluster on the part of some delegates and diplomats wrapped in outdated traditions. But their susceptibilities were then being also tested by other features of the new instrument for international cooperation and they were becoming accustomed to seeing many of their cherished traditions upset at Geneva.

Had the Secretary-General personally presented his annual report and had he availed himself of this opportunity to expound and interpret international trends and possibilities of action, the general discussion of the Assembly might have been lifted into a real exchange of views in-

<sup>15</sup> Felix Morley, *The Society of Nations; Its Organization and Constitutional Development* (Washington: Brookings Institution, 1932), p. 266.

<sup>16</sup> O.J., 1936, p. 1139.

<sup>17</sup> *Proceedings of the Conference on Experience in International Administration, op. cit.*

stead of becoming a mere sequence of set speeches and official declarations. Soon the States would have accepted this procedure as a matter of course, as they have in the case of the ILO. The practice as initiated by the first Director of the ILO and upheld by his successor has been succinctly described by Mr. C. Wilfred Jenks as follows:

The International Labor Office, under the leadership of Albert Thomas, developed a different tradition. The Director of the I.L.O. and his representatives take an active part in the proceedings of the Governing Body and the International Labor Conference, make detailed proposals upon every question which comes before the Governing Body or the Conference, and explain and defend their proposals during the discussions. The Governing Body and Conference have complete freedom to approve, amend, or reject these proposals; but on every question submitted for decision there is available for consideration a concrete proposal, based on the disinterested expert knowledge of an international staff with a wide variety of viewpoints and experience, which represents an attempt to interpret the requirements of the general interest. In the absence of leadership of this kind the difficulties of securing agreement at general international conferences are greatly increased, and often increased beyond the frequently narrow margin between hard-won success and demoralizing failure.<sup>18</sup>

Had the Secretaries-General taken an attitude similar to that of the Director of the ILO, step by step a whole series of precedents could have been built up by means of which the Council and the Assembly would have become more and more accustomed to hearing the Secretary-General on all important questions and to availing themselves of his unique strategic position at the center of all the diverging opinions and tendencies.

The tradition established by the first Secretary-General, and followed by his successor, of abstaining from public intervention in the deliberations of the Council and the Assembly was on the whole tacitly approved in the inter-war period. While it was felt that the Secretaries-General had not availed themselves of the possibilities of their position, the opinion prevailed that the Covenant had not equipped the international administration with the authority needed for shaping the policy of the League and "for defending that policy both before the Council and the Assembly of the League and before the public opinion of the whole world."

It must be granted that the Secretaries-General could not have fully emulated the part played by M. Albert Thomas. His rôle as arbiter was facilitated by the tripartite structure of the ILO that integrated

<sup>18</sup> C. Wilfred Jenks, "Some Problems of an International Civil Service," *Public Administration Review*, Vol. III, No. 2 (Spring, 1943), p. 94.

non-official forces, and by the fact that the ILO was not a diplomatic body. Even a statesman of similar type could not have established — had he been made Secretary-General — a position comparable to that which Albert Thomas built up for himself and his successors in the ILO. As a man with many decades of close association with international affairs stated: an Albert Thomas might have led the League to greater glories — he might, on the other hand, have smashed the machinery in its first and most delicate phase.<sup>19</sup> But there were intermediary possibilities between the aggressive leadership of the one and the passivity of the others. Undoubtedly, the head of the international Secretariat could have gone a good deal further, at least during the first fifteen years of the League's existence. The growing international anarchy preceding World War II he could not have prevented, it is true, even if he had been granted the broadest possible powers. The impending crisis would have made any attempt of the Secretary-General to act as an international mediator increasingly difficult, and any such rôle would have had to cease altogether toward the end of the thirties. But by trying at least to stave off the growing international anarchy the Secretaries-General would have left behind the memory of a struggle and not, as was unfortunately the case, the impression of a passive acceptance of a headlong rush toward the abyss. Historical accuracy compels one to record the fact, however, that even the insignificant increase in the authority of the Secretary-General which actually did take place, was watched with apprehension by some of the member States, especially Germany and Italy. This is apparent from the Minority Report of the Committee of Thirteen, which gives the following example of the alleged growth of the external powers of the Secretary-General:

The President of the Council for the time being [1930] . . . is responsible for taking certain provisional measures in specific cases. It often happens that the office of President is held by a representative occupying a post far distant from his country, who, for that reason, is not in possession of all the information and material on which to frame a judgment, such as is, as a rule, to be found in the Ministries for Foreign Affairs. In such cases it is the Secretary-General who gives his opinion, and does the preliminary work which enables the President to take the necessary action. Further, the Secretary-General receives any requests and petitions which may be addressed to the League by States, associations or private persons. In these cases, there are always questions of interpretation or judgment

<sup>19</sup> *Proceedings of the Exploratory Conference on the Experience of the League of Nations Secretariat Held in New York City on August 30, 1942, under the Auspices of the Carnegie Endowment for International Peace* (Washington: Carnegie Endowment for International Peace, 1942). Mimeographed.

as to the procedure to be followed, and this, in actual fact, very frequently means dealing with certain points which have an important bearing on the final settlement. The political influence of the Secretariat, and especially of its principal officers, is, in fact, enormous and it would be a mistake to close our eyes to this fact.<sup>20</sup>

This evaluation of the political influence of the office of the Secretary-General may have been a *bona fide* judgment. It had its roots in the fear on the part of the representatives of the two countries mentioned that the Secretary-General, if given wider powers, might take steps that would cause embarrassment to these countries. Taken all in all, the external powers of the Secretary-General remained until the end of the League's political career, with only a slight enlargement, very much what they had been at the beginning.

The broader political aspects of this situation have been ably stated by Mr. C. Wilfred Jenks, who, after having affirmed that the interests of the world community as such were entirely unrepresented in the proceedings of the Council and the Assembly, declares:

Britain and France, Luxemburg and Liberia, each had both voice and vote in the Assembly; but the centripetal forces of an evolving world community had no official representative and rarely found adequate expression. No officer of the League had an acknowledged continuing responsibility for shaping the policy of the League in the interests of the League as a whole and for defending that policy both before the Council and Assembly of the League and before the public opinion of the whole world.<sup>21</sup>

### 3. THE HEAD OF THE INTERNATIONAL ADMINISTRATION AND HIS STAFF

In staff questions the Secretary-General had been granted very broad powers by the Covenant. In the opinion of persons who had been associated with the work of the League of Nations Commission of the Peace Conference of 1919, this was due to the fact that the statesmen charged with drafting the text had not given the question sufficient forethought, rather than to a deliberate policy. The records of the Paris negotiations contain practically no indication that staff questions were seriously considered, but the documentary material made available by Mr. David Hunter Miller affords insight into some curious proposals. In a set of notes which accompanied the *British Draft Convention* of January 20, 1919, it is proposed that a protocol be drawn up defining and — as the proposed stipulations of this protocol prove — limiting the

<sup>20</sup> *Op. cit.*, p. 29.

<sup>21</sup> Jenks, "Some Problems of an International Civil Service," *op. cit.*, p. 94.

authority of the "chancellor" of the League to a considerable degree. This protocol "signed by the States composing the Council" empowers the Council to "direct the Chancellor to select the Secretariat in a particular way." The "Chancellor" was to appoint ten permanent secretaries at his discretion, subject to a number of provisions the most important of which were: the appointment of one national of each of the members of the Council, of two nationals of two European States not members of the Council, of one national of one of the Latin American States, and of two nationals of any member State, at his discretion. "Before appointing a national of any state, the chancellor ought, however, to secure the approval of the government of such a state."<sup>22</sup>

These and similar proposals, which prove how little the extensive growth and the peculiar problems of international administration were foreseen were, fortunately, not adopted. Paragraph three of Article VI of the Covenant simply states that "The secretaries and staff of the Secretariat shall be appointed by the Secretary-General with the approval of the Council."

The actual procedure that was developed is laid down in Article 11 of the Staff Regulations, which reads:

The engagement shall become a definitive appointment on receiving the approval of the Council; but shall be provisional only until such approval is given, and, if not approved, shall be terminated as from such date and on such terms as the Council may direct.<sup>23</sup>

The stipulation that appointments were subject to the approval of the Council did not prevent staff appointments, for all practical purposes, from actually taking place, and many officials were already performing their functions before their nomination reached the Council.

The Council's rôle in staff matters was and remained passive. Refusal to approve an appointment would have been equal to a vote of censure of the Secretary-General. No appointment or reappointment proposed by the Secretary-General was ever actually vetoed by the Council. As a rule these appointments were ratified at the private meeting of the Council preceding the first public meeting of each session. Usually the lists submitted by the Secretary-General were approved as a matter of routine without discussion or comment. Moreover, only appointments to the Secretariat carrying a salary higher than 8,000 Swiss francs (about \$1900) needed the sanction of the Council. Appointments below

<sup>22</sup> Miller, *My Diary at the Conference of Paris*, Vol. IV, Document 226, p. 41.

<sup>23</sup> L.N. Secretariat, *Staff Regulations*, edition issued in March, 1933 [Geneva, 1933], p. 11.

that initial salary were made upon the sole responsibility of the Secretary-General.<sup>24</sup>

This smooth working of the stipulation regarding the Council's rôle in making appointments was possible only because the Secretary-General used his discretionary power with great care and avoided, as a whole, appointments which might lead to controversies. The Council's power served a good purpose therefore; though never exercised to the full, it was by no means fictitious.

In a few cases, appointments were discussed previously in informal or secret meetings of the Council. On one or two occasions questions were asked by Members of the Council.<sup>25</sup> In one case a Member abstained from voting.<sup>26</sup> The Irish Representative took this unusual step on the occasion of the promotion of a Spaniard, Sr. de Azcárate y Flores, to the post of Deputy Secretary-General. He explained that his reasons for abstaining should not be sought in "the ability, experience and high degree of integrity of the official in question," but in the fact that a principle was involved. The post had been specially created to give representation among the principal officers to members not permanently represented on the Council. The appointment of a Spanish citizen was, in his opinion, not in line with this intention, as Spain belonged *de facto* to the "privileged class" occupying a semi-permanent seat on the Council.

In the Appointments Committee<sup>27</sup> the Secretary-General had an important advisory body to assist him in his choice of candidates. The Personnel Office of the Secretariat assumed increased importance but it was never permitted to make independent decisions except in the case of Second and Third Division officials. Personnel questions occupied a far greater portion of the Secretary-General's time and energy and were decided to a far greater degree by him personally than is usually the case in any national governmental department or ministry. In addition to the broad authority granted the Secretary-General in the selection of personnel, his discretionary powers in all other staff matters were in practice limited only by the restraint imposed upon him by budgetary provisions. This was a logical consequence of the existing system and was therefore considered an inevitable part of the authority vested in

<sup>24</sup> This decision was taken by the Council in Paris on February 23, 1921, on the basis of a memorandum submitted by the Secretary-General on "Minor Staff Appointments," in which he pointed out that this new rule "would fulfil the conditions laid down in Article 6 of the Covenant." [*Document du Conseil* 137/4/35]. See L.N. Council, *Minutes of the Twelfth Session*, pp. 13, 88.

<sup>25</sup> O.J., 1931, p. 144.

<sup>26</sup> O.J., 1933, p. 805.

<sup>27</sup> See chapter on "Appointment and Termination of Contract," *infra*, pp. 318-19.

the Secretary-General by the Covenant. But it remained not altogether unchallenged. In the course of the discussions of the new Committee of Thirteen, Mr. Carl J. Hambro, for example, "had no hesitation in saying that the Secretary-General possessed far too much power already — an arbitrary power of promotion and making special allowances." <sup>27a</sup>

The Secretary-General's internal powers were enlarged still more by the 1938 Assembly, which stated that the Secretary-General and the Director of the ILO "shall have power in their discretion to take any exceptional administrative or financial measures or decisions (including the amendment of administrative or financial regulations), and such measures and decisions shall have the same force and effect as if they had been taken by the Assembly." This far-reaching delegation of authority was granted "until the next ordinary session of the Assembly." It was prolonged by the 1939 Assembly with the proviso that the Secretary-General was to act with the approval of the Supervisory Commission.<sup>28</sup> The steps taken by the first Secretary-General and by his successor, from 1939 up to the present (Winter, 1944-45), have been treated in a special chapter.<sup>29</sup>

The question of the Secretary-General's authority in staff questions has engaged the minds of all serious students of international administration, since the beginning of the League. The more the League developed the more it became evident that the preoccupation of the Secretary-General with questions of internal administration and staff matters was detrimental to the dispatch of his more important tasks. The Secretary-General under the existing system was exposed to undesirable political pressure. Being charged, under the Covenant, with the sole responsibility for appointments, he considered it his duty to listen to and to reason with any governmental representative who wanted to vent his spleen in this regard, to press for an appointment, or to complain about under-representation of his country. Much time and energy that could have been employed more constructively were thus wasted.

It must be recognized that the problem could not have been solved by a simple delegation of authority. The Secretary-General could have devoted less energy to the details of new appointments, but the whole success of his administration, especially in the beginning, hinged on the

<sup>27a</sup> *Op. cit.*, p. 22.

<sup>28</sup> *Report of the Supervisory Commission for the Year 1940*, Geneva, November 4, 1940, L.N. Document C.152.M.139.1940.X.

<sup>29</sup> See chapter on "The Crisis," *infra*, pp. 373-81.

composition of his staff. Moreover, the stipulations of the Covenant were explicit. The Secretary-General could not reject this task without violating the letter and spirit of the basic charter from which his authority stemmed.

Most people with experience in international administration agree that a modification of this practice is necessary whatever the shape of the future international organization. Opinions differ widely, however, regarding the character and degree of the required modifications. There is unanimity that the administrative head of an international organization should be protected against political pressure with respect to staff questions. Here, the concord of opinion ceases. Some students of this question would not modify the principle of making the Secretary-General the sole master of appointments; others suggest that the head of the international administration should not make appointments but should retain the power to veto proposals of appointments.

In the course of recent discussions on experience in international administration, initiated by the Division of International Law of the Carnegie Endowment for International Peace, the view was expressed that the head of such an agency should not be concerned with appointments at all.<sup>30</sup> The creation of a Permanent International Civil Service Commission elected by member states and by the officials themselves in a proportion of four to three was suggested. This commission would also replace the Administrative Tribunal.<sup>31</sup> Many persons with international experience contend that a board placed outside the service would make a better appointing authority; others feel that such a commission might not have a close enough grasp of changing needs to supply the agency with the best candidates. An intermediary solution, the creation of an auxiliary international civil service office, might recommend itself as a compromise.

#### 4. NATIONAL ORIGIN AND CHOICE OF PERSONALITY

The practice of choosing the Secretary-General from among citizens of the two leading European countries was so firmly established in the interwar years that the appointment to this post of a Frenchman upon the resignation of the first, British, Secretary-General was taken for granted. The rotation between Britain and France seemed so natural that it applied, up to the entry of the United States into that agency,

<sup>30</sup> *Proceedings of the Exploratory Conference on the Experience of the League of Nations Secretariat, op. cit.*

<sup>31</sup> See chapter on "Contractual Status and Safeguards," *infra*, pp. 259-62.

also to the International Labor Organization, which appointed a Briton to succeed the first French Director of the ILO, M. Albert Thomas.

Originally serious doubts existed in the minds of the framers of the League. According to Lord Robert Cecil's plan for a League of Nations, the Secretary-General "should be appointed by the Great Powers, if possible choosing a national of some other country."<sup>32</sup> This attitude is also reflected in the early plan to make Venizelos, the Greek statesman, the first Secretary-General. After the establishment of the Secretariat, the right of the Great Powers to the leading post in the Secretariat was hardly ever contested. The representatives of the states felt that the acceptance of this position by a citizen of one of the leading powers constituted a guarantee for the continued support of the League by the powers with world-wide interests, and that any disadvantage accruing from this practice was compensated, and over-compensated, by this overriding advantage. The absence of the United States from the League restricted the choice as between Britain and France. The Italian hope of succeeding at a later date the French Secretary-General had not the slightest chance of realization. Soviet Russia never identified itself sufficiently with the League to be considered a candidate for this post, apart from the fact that there were reasons inherent in the political atmosphere prevailing in the interwar period which would probably have made it impossible to find the necessary majority in the Assembly for a Soviet Russian candidature. On the resignation of the second Secretary-General the direction of the Secretariat fell to a citizen of Eire who had served as Deputy Secretary-General and whose country had remained neutral in the present war. In view of the extraordinary circumstances accompanying his assumption of the leadership of the Secretariat and the temporary character of his assignment (he has officially remained Acting Secretary-General since 1940) his tenure of this post cannot be interpreted as part of a natural evolution or of a deliberate policy.

As it was the will of the member States that the Secretary-General should exercise no undue power in external matters, they selected men from whom no dynamic action was to be expected. This raises the important question of the kind of person the head of an international administration should be, which can be answered fully only in the light of the structure, tasks, and prerogatives of the international agency of which he is the head. But some general observations are possible, irrespective of the type of organization, provided the agency is con-

<sup>32</sup> Miller, *The Drafting of the Covenant*, Vol. II, Document 6, p. 62.

stitutionally based on a duality of policy-shaping bodies and a permanent administration.

Clearly three types of persons enter into consideration: the statesman, who is usually a politician in a democracy; the moderator, an elder statesman or judge past the age of political ambition; and the top administrator (civil servant). A fourth type, the expert, must be considered also if we include in our investigation of persons best suited to direct international administrative bodies the heads of independent or semi-dependent technical (functional) agencies. From among persons possessing these qualifications, or from persons combining the characteristics peculiar to one or the other of these types, the head of the international administration should be chosen. It appears that the Powers assembled in Paris in 1919 excluded after some hesitation all types except the top administrator. Sir Eric Drummond was a diplomat who had served as private secretary to Lord Balfour. His administrative background and the interest he had taken in the work of the League of Nations Commission in Paris recommended him, in addition to a pleasing personal appearance. The chief recommendation, from the viewpoint of the member States, that dictated the choice of his successor, M. Avenol, was, apart from his French nationality, a self-effacing conduct during his office of Deputy Secretary-General.

In the light of experience it has become evident that the decision to consider the direction of the League Secretariat an administrative rather than a political task, and to choose as Secretary-General a civil servant rather than a statesman, became an element of weakness in the whole international organization as the world crisis developed. This is said without a desire to criticize, especially as regards the first Secretary-General, who proved a more than competent head. Though remaining essentially a diplomat and a civil servant, he grew with his task and with the importance of the work entrusted to him. While a certain timidity prevented him from trusting his own imagination, he had respect for the imagination of others. By nature a cautious man, he was, nevertheless, prepared to take risks within the civil service concept of his rôle. He was not and never pretended to be a leader of men, but he was more than a mere organizer and administrator. If he never challenged the inertia of the governments or attempted to assume the rôle of an international statesman this was due to the fact that he was not cut out for such tasks and knew that he would not have succeeded in attempting what was alien to his tradition, experience, and rôle in life.

All things considered, it can be stated that it was a mistake on the part of the statesmen responsible for establishing the League to choose an administrator. The purely administrative tasks could well have been entrusted with advantage to a man of Sir Eric's fibre, but the political tasks should have been in the hands of a statesman whose past rôle and standing in the international world and whose general approach would have made him an equal of the top delegates and secured for the Secretary-General the prestige needed for international action. Experience proves that it is a statesman who must be chosen as head of a political agency. He must be an international leader. Unless he is that, no international agency can exhaust the possibilities inherent in its mission. The lesson of the League in this respect is as clear as possible, hardly open to contention, and absolutely convincing.

##### 5. APPOINTMENT, EMOLUMENTS, AND TENURE OF OFFICE

As stated previously, it was first intended to have the Secretary-General appointed by the Council.<sup>33</sup> The British delegation suggested, in April, 1919, that the actual right to elect the Secretary-General be conferred upon the Assembly.<sup>34</sup> It was only after the meeting of the thirteen neutral countries with Lord Cecil that the League of Nations Commission of the Peace Conference adopted an amendment providing that the Secretary-General who would succeed the first holder of that post, named in an Annex to the Covenant,<sup>35</sup> should be appointed by combined action of the Council and the Assembly. The final text of the Covenant stipulating, in Article VI, that Secretaries-General "shall be appointed by the Council with the approval of the majority of the Assembly" is thus a compromise between different suggestions made during the discussions at Paris.

The salary of the Secretary-General was fixed at 90,000 Swiss francs;<sup>36</sup> no annual increment was granted. The office, however, carried with it an entertainment allowance of 50,000 Swiss francs per annum. An official residence was, in addition, put at the disposal of

<sup>33</sup> Miller, *My Diary at the Conference of Paris*, Vol. VII, Document 645, p. 311.

<sup>34</sup> *Ibid.*, Vol. VIII, Document 711 (Note by the British Delegation on the Redraft Submitted by the Drafting Committee, dated April 7, 1919), p. 1.

<sup>35</sup> L. Krabbe, "Le Secrétariat Général de la Société des Nations et son activité," in Rask-Ørstedfondet, *Les origines et l'œuvre de la Société des Nations* (Copenhagen, etc.: Gyldendalske Boghandel, 1924), Vol. II, p. 265 n.

<sup>36</sup> Mean exchange rate for dollars: 1922 (January-May) 5.15 Swiss francs

1930	"	"	5.15	"	"
1938	"	"	4.37	"	"
1943	"	"	4.31	"	"

the Secretary-General. The Report of the Committee of Thirteen laid down —

as a principle, that the total emoluments should be sufficient to enable the holder of the office to discharge the obligations incumbent upon him in virtue of his post, without being compelled to draw upon his private resources,<sup>37</sup>

The emoluments roughly correspond to that of an ambassador of a great power. In answer to certain critical remarks referring to the level at which the salary had been fixed, the Secretary-General stated in the Fourth Committee of the First Assembly that "the basis on which his salary was fixed were the emoluments of a British Ambassador, at least one of whom received salary and allowances amounting to £20,000 annually, and he believed that no British ambassador abroad was paid less than £10,000 a year."<sup>38</sup> As a matter of fact his emoluments remained well below those of a British Ambassador.

No stipulation as to tenure is contained in the Covenant. This is to be contrasted with the original intention, especially on the part of the American delegation. A draft by David Hunter Miller, for example, suggested that the Chancellor of the League "shall hold office during the pleasure of the Council."<sup>39</sup> This limitation of tenure was not accepted and the first Secretary-General was appointed without any constitutional time-limit.

André Cagne pointed out that the first Secretary-General was not removable from office. From a legal point of view —

his tenure of office could not be terminated except by voluntary resignation. Had his activities been considered unsatisfactory by the Council or by the Assembly or had he even committed errors, he could not have been removed except by amending the Covenant in accordance with Article XXVI, a procedure involving as is evident, great practical difficulties. This system possessed the great advantage of removing this important post from intrigue as long as possible, i.e., up to the resignation of Sir Eric Drummond. . . .<sup>40</sup>

The Report of the Committee of Thirteen suggested that —

In future, the normal term of office of a Secretary-General should be for ten years; the Council having the right to prolong the appointment, subject to the approval of a majority of the Assembly.<sup>41</sup>

<sup>37</sup> *Op. cit.*, p. 16.

<sup>38</sup> L.N., *The Records of the First Assembly, 1920; Committee Meetings*, Vol. II, p. 40.

<sup>39</sup> Miller, *My Diary at the Conference of Paris*, Vol. IV, Document 236 (dated January 26, 1919), p. 170.

<sup>40</sup> André Cagne, *Le Secrétariat Général de la Société des Nations* (Paris: Editions Jel, 1936), pp. 34-35 (translation author's).

<sup>41</sup> *Op. cit.*, p. 16.

In accordance with this recommendation, the Assembly fixed the normal term of office of the Secretary-General at ten years. The Council has the right to lengthen the appointment, subject to the approval of the majority of the Assembly. The first Secretary-General resigned in June, 1933, after thirteen years of service, the second in 1940 under rather unpleasant circumstances.<sup>42</sup>

Extended tenure recommends itself for reasons inherent in the duties of the office as well as for other reasons. The international duties of the head of an international agency clearly require a longer period of "incubation" than those of a national diplomatic envoy. There is, on the other hand, no danger of his identifying himself too much with the policy of one specific country by a longer tenure than that usually considered an optimum for an ambassador. On the contrary, there is every likelihood of his becoming more and more familiar with the different viewpoints of an increasing number of countries if his tenure is sufficiently long. With the growth of his international experience he would become increasingly useful.

The limitation of his tenure to ten years must be considered an optimum in the light of past experience. A man chosen to head an international agency would be a person who has reached eminence in his field. Normally he would probably be in his fifties at the time of his appointment. Ten years in office would bring him near or beyond the age at which he would normally desire or expect to complete his career in a national service or to return to active politics, except as an elder statesman acting as arbiter in national or international politics. There is rather general agreement that it is damaging to an international agency of the importance of a League of Nations if on retirement its head assumes a post involving him in political controversies or placing him in a minor public rôle. It was widely felt that Sir Eric Drummond's acceptance of an ambassadorship after his resignation as Secretary-General lessened the prestige of the position of Secretary-General and with it that of the organization he had headed.<sup>43</sup> It was believed at that time that he would not have accepted the appointment in which he had to represent British policy in Rome, especially during the time of the League sanctions against Italy, had he been assured a reasonable pension or had his salary been sufficient to safeguard a sufficient surplus for the times of his retirement.<sup>44</sup>

<sup>42</sup> See chapter on "The Crisis," *infra*, pp. 378-81.

<sup>43</sup> See Archibald A. Evans, "The International Secretariat of the Future," *Public Administration* (London), Vol. XXII (1944), p. 68.

<sup>44</sup> *Proceedings of the Exploratory Conference on the Experience of the League of Nations Secretariat*, *op. cit.*

Under these circumstances, it would seem advisable to provide the head of an international administration, upon termination of his activities on behalf of the community of states, with a generous life pension or allowance. Ten years of service would probably justify in the eyes of the governments the cost of such an arrangement.

## CHAPTER V

### THE HIGH DIRECTORATE

The term "High Directorate" is the most adequate if somewhat awkward translation of the French term *haute direction* usually employed at Geneva. Except in official publications, this French expression was currently used as a *terminus technicus*, even in English texts. In official English-language documents, the term "Principal Officers" was employed; it will be used in this volume alternately with High Directorate.

Apart from the head of the International Secretariat, the High Directorate comprised the Deputy or Deputies, the Under Secretaries-General, and, in later years, the Legal Adviser, the Directors, and the Treasurer, who held the rank of Director. It was not a composite body in the technical sense. Like the term United Nations, it signified membership in a body without corresponding machinery. There was no corporate entity called High Directorate. There was no formal obligation compelling the Secretary-General to recognize its existence, to convoke it at any time, or to inform its members collectively of policies or developments.

#### I. POSITION, FUNCTIONS, AND RANK OF THE PRINCIPAL OFFICERS

A discussion of the situation created by the existence of a whole group of high officials, distinct from all other officials, must begin with explaining the peculiar position singled out for the different ranks composing the High Directorate.

The special position of the Secretary-General has already been fully described in another chapter.<sup>1</sup> Everything that is done in the Secretariat is done under his direction and in his name. He is the apex of the staff hierarchy. It is to him that the governments address themselves and it is in his name that the Secretariat communicates with the world. All authority not actually exercised by him within the administration is delegated and can be revoked by him at will. Those immediately attached to him — with the possible exception of his deputy — are his subordinates and subject to his orders. But as, in the words of the

<sup>1</sup> See chapter on "The Secretary-General," *supra*, pp. 42-46.

philosopher Hegel, quantity at a certain point becomes quality, the position of League officials at a certain point became qualitatively different from that of the other officials. This applies particularly to the highest ranks, that of Deputy Secretary-General and Under Secretary-General. Not only did they rank higher and receive higher emoluments but, in contrast to all other staff appointments, they were essentially political appointees. In contrast also to all other officials, their term of office was limited.<sup>2</sup> Moreover, they were on a different level from that of all the other officials, including Directors, inasmuch as prolongation and renewal of appointment was strictly limited and reserved for exceptional cases.

#### A. THE DEPUTY SECRETARY-GENERAL

It is difficult to describe the peculiar status of the Deputy Secretary-General. He was a member of the staff, appointed, like the other officials, by the Secretary-General. But it can be doubted whether this really defines his position. He was in the eyes of the members of the League an equal of the Secretary-General with suspended authority rather than his subordinate. Originally there was only the Secretary-General with his four Under Secretaries-General.<sup>3</sup> The French Under Secretary, M. Jean Monnet, acted "in absence of Secretary-General" until 1922, when this post became that of Deputy Secretary-General. M. Monnet was replaced in 1922 by another Frenchman, M. Avenol, whose first term as Deputy expired in 1926, when it was extended for three years, and again on February 1, 1930.

According to a report submitted by the Secretary-General to the May, 1920, Council, the Acting Deputy concerned himself especially with the financial and economic work. This tradition continued until the expiration of M. Avenol's term of office as Deputy Secretary-General. In spite of supervisory functions the rôle played by the Deputy, under Sir Eric Drummond, bore in practice a striking resemblance to that of the American Vice President. The Deputy's official position was considerably higher than his responsibilities. Furthermore, he labored under a similar contradiction of being potentially the most important person in the Secretariat next to the Secretary-General while actually exercising less influence upon the day-to-day work of the Secretariat than did a number of directors. Even the Minority

<sup>2</sup> See chapter on "Duration of Service, Advancement, and Security," *infra*, p. 302.

<sup>3</sup> The American Under Secretary, Mr. R. B. Fosdick, was listed as absent in a staff list issued on October 16, 1919.

Report, which tends to exaggerate the importance of the post of the Deputy and insists that there are "only two officials who are really responsible for the general direction of the Secretariat — the Secretary-General and the Deputy Secretary-General," does not suggest that he actually exerts functions commensurate with his responsibilities:

The latter is [the Minority Report continues], apart from the Secretary-General, the only person who is required and entitled to be informed of everything that happens in the Secretariat, and of everything which is of political importance or involves a principle.<sup>4</sup>

From a study of the discussions in the Fourth Committee of the Assembly and a perusal of the different reports issued early in the history of the Secretariat, it appears that a greater rôle was originally attributed to the Deputy Secretary-General in the minds of the governments than that which he actually established for himself. This is reflected in the Noblemaire Report, which defines the functions of the Secretary-General and of his Deputy without distinguishing between them in laying down the rules applicable to them. The early emphasis upon the rôle of the second in command is probably due to the opinion held in the beginning that the Secretary-General would or even should maintain personally close relations with the important political centers of the world and that this would involve "frequent and prolonged absences from the seat of the League."<sup>5</sup> As it turned out the Secretary-General remained almost permanently at the headquarters of the League and the Deputy Secretary-General led a somewhat shadowy existence.

Reviewing the situation ten years after the Noblemaire Report, the Majority Report of the Committee of Thirteen stressed the special importance of leaving the administrative control "in the hands of a single managing director, and, when necessary, of his deputy." It added that it is "a generally recognised administrative principle that the Head of any organisation must be assisted by a deputy who can take his place whenever required, and who must therefore keep himself informed in regard to all the affairs of the institution."<sup>6</sup>

When the first Deputy Secretary-General was promoted to the post of Secretary-General in 1933 the rôle of the Deputy assumed greater practical importance than it possessed under Sir Eric Drummond.

<sup>4</sup> Committee of Thirteen, *Report*, p. 30. Referring to this passage, the Report of the Committee of Thirteen (*ibid.*, p. 13) states that it is "scarcely accurate to say that the Deputy Secretary-General is the only person who is kept informed of all matters of political importance."

<sup>5</sup> Noblemaire Report, p. 13.

<sup>6</sup> Committee of Thirteen, *Report*, p. 13.

M. Avenol charged his successor as Deputy with the control of the whole internal administration. When several years later a second Deputy was appointed in accordance with the decision of the 1932 Assembly, the second Deputy continued to direct the Political Section which had already been under his charge.

The increase in the actual authority of the Deputy was thus not a consequence of an evolution of the position itself but rather of the fact that direct administrative responsibilities, in no way organically linked with the post of Deputy, were added to his advisory and representative function. This evolution did not, therefore, in reality constitute an advance in his status even if it increased his duties and direct responsibilities. On the contrary! By assuming administrative tasks the Deputy came more and more under the day-to-day jurisdiction of the Secretary-General. He accepted the Secretary-General's orders. He became a sort of glorified director. What he gained in direct administrative authority he lost in status and prestige. He ceased to be part of the Secretary-General's authority and his near-equal, and became a subordinate. And in the Secretary-General's absence he was a substitute rather than the head of the institution *per interim*.

## B. UNDER SECRETARIES-GENERAL

### (i) Functions

From the beginning the Under Secretaries-General of the League were in a somewhat anomalous position. Their most important function seemed to be that of being present, to indicate thereby the existence of normal relations between the League and their country of origin and its willingness to collaborate at Geneva. Theirs was a kind of ambassadorial position and their primary tasks were advisory and representative. Moreover they were political appointees.<sup>6a</sup> Their names were either presented by the foreign offices of their country of origin or they were chosen because of their nationality with the backing of their governments. The fiction officially maintained was, however, that they were not representatives of their governments or even of their country; they were not supposed to act as national emissaries. Their situation was clearly contradictory in itself. The non-official London Report makes an attempt to prove that this was not the case. It states:

<sup>6a</sup> M. Osusky stated in the course of the discussions of the new Committee of Thirteen (*Report and Minutes of the Committee*, p. 19) that at the time of Germany's entry into the League a small committee "agreed that the posts of Under-Secretary-General were political posts reserved for the Great Powers."

Their presence is necessary, not in order to champion the policies of their Governments — this is in no case admissible — but to explain the action or attitude of the secretariat to their Governments' representatives and *vice versa*, with that lack of reserve which is only possible between compatriots or members of a common service.<sup>7</sup>

Unfortunately this does not fully describe the situation as it developed in practice. The Italian and German Under Secretaries-General tended more and more to consider themselves the superiors and supervisors of the German and Italian members of the staff distributed all through the Secretariat. They established themselves as self-appointed authorities cutting across the service hierarchies, threatening the discipline within the sections and services, and in some ways challenging the authority of the head of the Secretariat. This practice had become so wide-spread by 1932 that a liberal observer surveying the situation in a German scientific magazine writes:

It may seem strange on the face of it that just in those cases where one approaches the highest ranking officers of international officialdom one finds that the principle of internationalism is abandoned in favor of national practices.<sup>8</sup>

With the departure of Germany and Italy from the League and the promotion of old League officials to some of these posts, these deviations tended to disappear. But the inability of the administration to put a stop to these abuses left an indelible imprint upon the entire Secretariat from which the institution of Under Secretaries-General never fully recovered.

As it had early become evident that their advisory and representative functions were not enough to keep an active person sufficiently occupied, and as it was not the intention of the Secretary-General to encourage their national political activities, some of them were entrusted with direct administrative responsibilities. The London Report,<sup>9</sup> which can claim particular authority on this point since most of its authors actually held high posts in the Secretariat, in defining the existence of Under Secretaries-General as "a frank compromise between political necessity and administrative efficiency," advocates that they should be given "direct administrative responsibility, either as working directors of more or less self-contained sections, such as the legal sec-

<sup>7</sup> *The International Secretariat of the Future; Lessons from Experience by a Group of Former Officials of the League of Nations* (London: Royal Institute of International Affairs; New York, etc.: Oxford University Press, 1944), p. 28. (London Report.)

<sup>8</sup> Ferdinand Bartosch, "Das Völkerbundsekretariat," *Archiv für Sozialwissenschaft und Sozialpolitik*, 68 Band, 6. Heft, März 1933 (Tübingen), p. 707. (Translation author's.)

<sup>9</sup> *Op. cit.*, p. 39.

tion, or as supervisors of two or three sections with interdependent activities," provided that they possess exceptional ability in special fields. By 1930 this combination of advisory, general, and specific administrative duties had become the rule rather than the exception, and the majority of the Under Secretaries-General serving at that time were actually charged with direct administrative responsibilities: the Japanese Under Secretary-General was Director of the Political Section and his German colleague Director of the Section of International Bureaux and Intellectual Cooperation. As most of the really important work in the latter field was performed by the International Institute of Intellectual Cooperation in Paris, the German Under Secretary-General saw in his assignment a sign of the unwillingness of the Secretary-General to entrust a German with serious responsibilities. In this he was probably correct; but the Secretary-General was fully justified inasmuch as the German Under Secretary-General behaved exactly as if he were a representative of Germany in the Secretariat and not an international official. The habit of combining the post of Under Secretary-General with the direction of a section seemed firmly established by 1934. However, when Soviet Russia joined the League the Russian Under Secretary-General assumed no such duties.

At the time of the 1930 inquiry attempts were made to define the position of the Under Secretary-General. The Minority Report, inspired by the German and Italian members on the Committee of Thirteen, tried to prove that the title was a kind of decoy set up to mislead innocents about the real position. "At the present time," this Minority Report stated,

there is really no distinction between the duties and responsibilities of the Under-Secretaries-General and the Directors, apart from the difference of title and salary. The name Under-Secretary-General is simply an honorary title giving the holder no right to share in the actual direction of the Secretariat.<sup>10</sup>

The Majority Report, on the other hand, insisted that this position was really an important one:

all important telegrams and papers are immediately sent to the Under-Secretaries-General, and all files are at their disposal, and at that of the Directors, if they wish to consult them. They have, thus, every opportunity of making representations to the Secretary-General as to the opinion in their countries, or on any other subject <sup>11</sup>

<sup>10</sup> Committee of Thirteen, *Report*, p. 30. The motives which induced them to choose this line of approach will be found in Section 4 of this chapter, *infra*, pp. 70-74.

<sup>11</sup> *Op. cit.*, p. 13.

(ii) *Development*

There were four Under Secretaries-General in 1919, three after the withdrawal of the American Under Secretary-General in 1920, and two after transformation of one of these posts into the rank of Deputy; a third post of Under Secretary-General was created after Germany's entry into the League.

The Committee of Thirteen<sup>12</sup> had expressed itself in favor of the creation of five new Under Secretaries-General. For reasons of economy only two of the new posts were to be filled immediately, one of the two being that of Legal Adviser whose position was to be raised to the rank of Under Secretary-General. Beginning with the discussion of the Report of the Committee of Thirteen by the 1930 Assembly, a movement aiming at a complete abolition of the posts of Under Secretary-General gained momentum. The Committee of Thirteen had rejected the idea of abolishing this whole category because of the political objections such a step might raise. But during the debate on the report by the Fourth Committee of the Assembly the Norwegian delegate made an outright proposal to abolish it and was supported therein by other delegates. As a full agreement could not be achieved, a new Committee of Enquiry was charged with deciding between the three solutions which had been suggested: increase in the number of Under Secretaries-General; complete abolition of the rank; and maintenance of the *status quo*.<sup>13</sup> The second Committee of Enquiry followed the Committee of Thirteen in rejecting the complete abolition of the post of Under Secretary-General, and the uncertainty continued.

The 1932 Assembly could no longer temporize, as the resignation of the first Secretary-General made the reshuffling of the high direction inevitable. It put a stop to the discussion which had raged for four full years and had created unrest and uncertainty within the Secretariat. It adopted a resolution providing that there should be in the future three Under Secretaries-General or rather four with the Legal Adviser.<sup>14</sup> Germany soon afterwards withdrew from the League but Russia entered the League in 1934 and the quota was therefore actually filled most of the time. In 1938, after the resignation of Italy and Japan, only two of these posts remained filled, and in the autumn of 1939 only one.

<sup>12</sup> See chapter on "Rôle and Decisions of the Policy-Making Organs," *supra*, pp. 27-31.

<sup>13</sup> For a full account of the various phases of this discussion, the reader is referred to Howard B. Calderwood's study, *The Higher Direction of the League Secretariat* (Dallas, Texas: Southern Methodist University, 1937), pp. 12 ff.

<sup>14</sup> For the other stipulations contained in this resolution, see *infra*, pp. 61 and 63-64.

Surveying the past experience as a whole and analyzing present trends in international organization, the London Report comes to the conclusion that the posts of Under Secretary-General might disappear.<sup>15</sup>

### C. DIRECTORS

Nationality played an important part in the selection of directors inasmuch as an increasingly serious attempt was made to select directors from as many countries as possible. But they were not national nominees as were most of the Under Secretaries-General. Moreover, as their appointments were indefinitely renewable in seven-year intervals, they were closer in their tenure to the majority of the staff. Unlike, also, those above them in the administrative pyramid, the advisory and representative functions they fulfilled were accidental rather than part of their tasks. While Under Secretaries-General were charged with the direction of services accidentally because of their administrative ability or simply in order to keep them occupied, the directors of sections were generally chosen for their specific qualifications.<sup>15a</sup> They were responsible officials, pure and simple. They enjoyed no special privileges, had no national cabinets (see *infra*), and were considered and considered themselves international officials. Comparable in their position to the heads of departments in a national administration, their existence raised no special problems of status or policy.<sup>16</sup>

### D. NATIONAL ISLANDS

The national character of the highest posts was still further emphasized by the fact that each occupant had originally his own *cabinet* in the French sense of the word. The Deputy Secretary-General and the Under Secretaries-General had assistants of the rank of Member of Section of their own nationality. They were also entitled, by usage more than by right, to one or more stenographers or secretaries of their own choice, who happened as a rule to be co-nationals of the Under Secretaries-General. Thus national islands emerged within the Secretariat and it was not long before these national nuclei began playing national politics. This was especially the case after Italy had become Fascist and Germany had joined the League.

<sup>15</sup> *Op cit*, p. 31.

<sup>15a</sup> See statement of the Acting Secretary-General in New Committee of Thirteen, *Report and Minutes of the Committee, op. cit.*, p. 13.

<sup>16</sup> For an evaluation of the rôle played by individual directors, see chapter on "Principles and Structure of Organization," *infra*, pp. 93-95.

This use made of their special position by some Under Secretaries-General caused apprehension to all true friends of the internal administration. By 1932 the situation had become sufficiently serious to cause alarm not only within the administration but to the governments as well. In the resolution previously mentioned, the 1932 Assembly decided that only the Secretary-General and the Deputy Secretaries-General "shall henceforth have a private secretariat, which shall not include more than two Members of Section." But, as a matter of fact, it formally sanctioned the practice by adding that "Under-Secretaries-General should each be entitled to have among the members of the Section which they direct one collaborator of their own nationality ranking as Member of Section."<sup>17</sup> The situation remained little changed.

Sr. de Azcárate, upon being appointed Deputy Secretary-General, initiated a departure from the general practice which without being important in itself had considerable significance from the point of view of principle. He chose a Dutchman as his *chef de cabinet* and in doing so broke with existing precedents. He interpreted his appointment, not as a homage to Spain, but as a gesture aimed at giving the smaller powers a stronger voice and more importance within the Secretariat. Likewise, the new Russian Under Secretary-General renounced the privilege of having a collaborator of his own nationality attached to him, and chose a French secretary from among the members of the Second Division.

After the departure of Germany and Italy the custom fell more and more into disuse. The Irish Deputy Secretary-General retained as his closest collaborator the Dutchman who had been associated with Sr. de Azcárate; the British Under Secretary-General had an Irish assistant; and the Russian and Argentine Under Secretaries-General (Legal Adviser) had none. In spite of the increasing nationalism raging outside, Geneva international tendencies, in keeping with the spirit of the international Secretariat, had won a signal if ephemeral victory.

## 2. THE HIGHEST OFFICIALS

A special study of the group of highest officials is fitting because of the light which it throws upon the rôle played by political and national considerations in the direction of the League.

<sup>17</sup> L.N., *Resolutions and Recommendations Adopted by the Assembly during its Thirteenth Ordinary Session (September 26th to October 17th, 1932)*, Geneva, 1932, O.J., Special Supplement No. 103, p. 18.

The High Directorate was in fact divided into two classes, the *upper stratum* consisting of the head of the international administration, his deputy or deputies, and the Under Secretaries-General, and the lower stratum consisting of the directors. There was no official designation for the *upper stratum*, but by speaking of the "category of the highest officials," the 1932 Assembly resolution came close to defining them as a separate unit. In its first stage this category was small and limited as follows:

Secretary-General  
4 Under Secretaries-General

These officials were, respectively, British, French, Italian, Japanese, and United States citizens; the latter withdrew in 1920. After the definite establishment of the post of Deputy Secretary-General, the group was made up as follows:

1 Secretary-General  
1 Deputy Secretary-General  
2 Under Secretaries-General

This corresponded exactly to the permanent membership of the Council. The monopoly of the most important posts in the Secretariat, which the permanent members of the Council possessed, reflected the view held at the end of the war of 1914-18, and carried into the immediate post-war world, namely, that the preservation of peace was predominantly the concern of the Great Powers<sup>18</sup> with world-wide interests and resources in men and raw materials, and that this responsibility must be squarely shouldered by them. The original composition of the Council itself was based on this view.

During the years 1922-26, the position remained stationary. When a post of Under Secretary-General fell vacant a national of the same country was appointed. Thus the Italian Under Secretary-General, M. Attolico, who had been reappointed in 1926, was replaced a year later by another Italian, the Marquis Paulucci di Calboli Barone. The Japanese Under Secretary-General, Dr. Nitobé, whose appointment ended in 1926, was succeeded by his compatriot Mr. Sugimura. When Germany joined the League a new post of Under Secretary-General was created and a German, Mr. Dufour-Feronce, was appointed.<sup>19</sup> The "proprietary rights" of the permanent members in the posts of Under Secretaries-General, became still more evident.

<sup>18</sup> Miller, *My Diary at the Conference of Paris*, Vol. I, p. 87, quotes a typical example of this attitude. According to the author, Lord Robert Cecil thought "that the Great Powers must run the League and that it was just as well to recognize it flatly as not."

<sup>19</sup> O J, 1927, pp. 117, 165, 422.

The monopoly enjoyed by the permanent Council members provoked strong criticism among the countries "with limited interests." While the rôle of the smaller powers in League affairs increased from year to year, they remained excluded from the highest posts. The question was officially raised in 1928 and the discussion reached its climax in 1930, with the submission of the Report of the Committee of Thirteen; it continued to agitate minds until 1932. The Committee of Thirteen<sup>20</sup> devoted a considerable part of its report to this question on which it was sharply split. The majority recommended the creation of five new posts of Under Secretary-General. Two members of the Committee, in a Minority Report, categorically opposed the increase of the number of Under Secretaries-General by stating —

States not permanently represented on the Council should realise that the holding of the post of Under-Secretary-General by a national of a country with a permanent seat on the Council is not a constitutional rule or a privilege, but has proved useful in practice for the reason that the nationals of countries with general interests are, by their capacity to serve as liaison agents, specially qualified to discharge the duties of Under-Secretary-General. . . . Furthermore, it might be provided that all posts of officials in charge of the different Sections should . . . be reserved for nationals of countries not permanently represented on the Council.

In this way, the countries in question would be more effectively represented on the Secretariat than by merely increasing the number of Under-Secretaries-General without investing them with specific duties.<sup>21</sup>

The category of highest officials would thus have consisted of one Secretary-General, one Deputy Secretary-General, and eight Under Secretaries-General, had the proposals been fully applied. The new scheme would have left the big powers in full possession of all the posts they occupied at the moment, but its implementation would have enabled the Secretary-General to choose five Under Secretaries-General "from among nationals of states not permanently represented on the Council" and to redress somewhat the balance in favor of the smaller countries. The suggestion that not more than one highest post be granted to nationals of the same country tended in the same direction. The suggestion of the Committee of Thirteen was not accepted. As stated previously, the 1932 Assembly finally put an end to the discussion which had been carried on with an intensity of feeling altogether out of proportion to the importance of the question, by adopting a resolution. It decided to establish two posts of Deputy Secretary-General in order to make it possible "that the holders of the highest posts

<sup>20</sup> See chapter on "Rôle and Decisions of the Policy-Making Organs," *supra* pp. 27-31.

<sup>21</sup> *Op. cit.*, p. 31.

. . . be chosen for their abilities, their personal qualifications and the contribution they can make to the performance of the tasks of the League of Nations" and in order to "give the Members which are not permanently represented on the Council a larger share in the responsibilities devolving on the principal officers of the Secretariat."<sup>22</sup> This decision aimed at procuring one of these posts for a national of a member not permanently represented on the Council. The Assembly further decided that there should be three Under Secretaries-General and that the Legal Adviser was to be raised to the rank of Under Secretary-General.

With this step, the right of smaller countries to a share in the highest posts was officially recognized. The new structure of the category of the highest posts was therefore to be as follows:

- 1 Secretary-General
- 2 Deputy Secretaries-General
- 4 Under Secretaries-General (including the Legal Adviser)

In implementing this decision, Sr. P. de Azcárate (Spanish) was appointed Deputy Secretary-General and Mr. Walters (British) Under Secretary-General. The Legal Adviser, M. Pilotti, the successor of the Marquis Paulucci di Calboli Barone, was appointed Under Secretary-General. When Germany and Italy resigned from the League the two posts were not filled. But when Russia joined the League a citizen of the Soviet Union, M. Rosenberg, was appointed Under Secretary-General. In 1934, the highest posts were filled as follows:

Secretary-General: French  
Deputy Secretary-General: Spanish  
Under Secretary-General: British, Italian, and National of U.S.S.R.

From the point of view of enlargement of the national basis, the appointment of a Spaniard to the post of Deputy constituted real progress. But the new state of affairs did not fully correspond to the desire of the members as expressed in the Assembly resolution. One of the new posts remained vacant, and the intention to give the countries not permanently represented in the Council a fuller share in the highest posts had only insufficiently been executed. There was still no "small" country represented in this category. Spain was certainly politically no major power, but she belonged to that group of privileged countries which,

<sup>22</sup> L.N., *Resolutions and Recommendations Adopted by the Assembly during its Thirteenth Ordinary Session (1932)*, op. cit., pp. 17-18.

without being permanent members of the Council in the technical sense, had occupied one of the semipermanent seats in that body.

When Sr. de Azcárate left the Secretariat in 1937 on being appointed Spanish Ambassador to the Court of St. James, the reshuffling necessitated by this vacancy led to a still fuller implementation of the Assembly resolution of 1932. An Irishman, Mr. Sean Lester, was appointed Deputy Secretary-General. With this step, for the first time, a citizen of a small state joined the society of the highest officials. After the expulsion of Russia the British Under Secretary-General was appointed Deputy. In October, 1939, the highest posts were distributed as follows:

Secretary-General: French  
Deputy Secretaries-General: British and Irish  
Under Secretary-General: Greek

Miss Moats calculates the representation of the permanent members of the Council in the category of highest officials as follows:<sup>23</sup>

1920-32	100	per cent
1933	67	" "
1934	60	" "
1935	67	" "

The corresponding figures for 1938 and 1939 are as follows:

1938	60	per cent
1939	50	" "

While the composition of the category of highest officials at this stage showed a balance between nationals of big and small countries and suggested a serious effort to shift the balance in favor of the minor powers, its political significance was negative. It reflected the fact that of the seven Great Powers of the interwar period, all but two had left — Germany, Italy, Japan, and Soviet Russia — and one, the United States, had never joined.

### 3. NATIONAL SHARE IN THE HIGH DIRECTION<sup>24</sup>

The evolution toward a fairer representation of member States, large and small, in the direction of the Secretariat is even more evident if the survey is not restricted to the top positions but extended to the entire High Directorate, including the directors. Not only the category

<sup>23</sup> Moats, *op. cit.*

<sup>24</sup> This section should be read in conjunction with the chapter on "National Structure," *infra*, pp. 351-64.

of highest officers but the whole High Directorate was originally dominated by the Great Powers.

In 1922, apart from all the highest officials, four of the ten directors were nationals of the permanent members of the Council. One was British, two French, one Italian. As Canada could hardly be called a fully sovereign state prior to the Statute of Westminster, the Canadian director might be considered as belonging to this group. The High Directorate in 1922 consisted of three Frenchmen, two Britons, two Italians, one Japanese, one Canadian, one Dutchman, one Norwegian, and one Swiss. As the League had 52 member States in 1922, about 14 per cent of these members were represented in the high direction. The four permanent members of the Council held 75 per cent of all the principal posts.

In 1930 the position was as follows: The high direction consisted of 13 members. The highest posts were still exclusively in the hands of the big powers. But of the eight directors, four were nationals of minor powers. Nationals of the following countries not permanently represented on the Council held directorships: Greece, Poland, South Africa, Spain, and Uruguay. Britain, France, and Italy each held two of the principal posts. The League membership in 1930 was 54. About 18 per cent of the member States had nationals among the principal officers. The five permanent members of the Council held 51 per cent of all the principal posts.

In 1935 the corresponding situation was as follows: The high direction had 18 members. One of the highest posts was occupied by a national of a medium-sized country. Of the twelve directors, eight were citizens of countries not permanently represented in the Council, namely, Argentina, Denmark, Greece, Netherlands, Poland, South Africa, Sweden, United States.<sup>25</sup> A special feature of the position in 1935 was the fact that Italy held temporarily three, Britain and France each two, of the posts in the high direction. The League membership in 1935 was 60. About 22 per cent of the member States had nationals in the high direction. The four permanent members of the Council held 50 per cent of all the principal posts. The position in September, 1935, was, however, quite anomalous, as two permanent members of the Council (Japan and Germany) were under notice of withdrawal, had withdrawn their high officers from the Secretariat, but were still officially listed as members.

By 1938 the situation had further evolved in favor of the "countries with limited interests" as they preferred to be called. At that time the

<sup>25</sup> See chapter on "National Structure," *infra*, p. 358.

high direction was composed of 15 members belonging to 14 nations. The monopoly of the big powers in the category of highest posts was definitely broken: the Secretary-General was French, his Deputy Irish, one Under Secretary-General British, the second (Legal Adviser) Argentine. Of the eleven director posts, one was occupied by a national of a permanent member of the Council, and only Britain held two posts in this category. The following countries, not permanently represented in the Council, provided directors: Czechoslovakia, Greece, Italy, Netherlands, Norway, Poland, South Africa, Sweden, United States. The League membership in 1938 was 58. About 25 per cent of the League members had nationals among the principal officers. Altogether, the three permanent members of the Council supplied now only 25 per cent of the principal officers. The fact that Italy and the United States were not or had ceased to be permanently represented in the Council overemphasizes the gain at that time in the position of the smaller powers. But it is evident that a director belonging to a country which had withdrawn from the League, and a citizen of the United States with the rank of director, were in a different position from that of nationals of countries permanently represented in the Council.

In 1943-44 the high direction consisted of the Deputy Secretary-General (Irish), who had become Acting Secretary-General in 1940, the Treasurer (South African), and three directors or persons of equivalent rank (British, Czechoslovak, and French, respectively).

In conclusion it can be stated that, (a) the proportion of nationals of the permanent members of the Council in the high direction decreased steadily; (b) the number of nationalities represented in it was constantly augmented; (c) the proportionate share of the whole membership of the League in the High Directorate increased.

HIGH DIRECTORATE

	Proportionate Share of Permanent Council Members <i>Per cent</i>	Number of National- ities Represented	Proportionate Share of Whole Membership <i>Per cent</i>
1922.....	75	8	14
1930.....	51	10	18
1935.....	50	12	22
1938.....	25	14	25

MULTIPLE MEMBERSHIP IN THE HIGH DIRECTORATE

1922 France 3, Britain 2, Italy 2	1935 France 2, Britain 2, Italy 3
1930 France 2, Britain 2, Italy 2	1938 Britain 2, all others one

From whatever angle one attempts to interpret these figures they all point in the same direction. Even if one excludes the 1938 figures and percentages because of the shift due to the departure of two permanent members of the Council (Japan and Italy) between 1935 and 1938, the trend from the predominance of the big powers in favor of the small ones is uniform. The absolute number of the countries represented in the high direction and the proportionate share of the whole membership in it is in constant increase; the proportionate share of the permanent members of the Council in the high direction is on the decrease. Moreover, the multiple representation of any single nation in the high direction is being eliminated. In 1938 there remained only one exception. The slow tempo of improvement in this respect is due to the fact that existing contracts had to be protected and changes could only be effected on expiration of individual appointments or on resignation of the official holding the post.

Thus a constant effort was made to spread responsibilities more equitably among the different nations, big and small, without disregarding the realities of international life. The under-representation of Asia and Latin America remained a weak point in the Secretariat's armor.<sup>26</sup> On the other hand, it was a remarkable sign of realism that a citizen of the United States held for many years the rank of director in the Secretariat and was attached to the high direction. While nationality distribution in the high direction was never fully satisfactory as long as the League was still an active force in international affairs, a steady improvement in the situation nullified the criticism that the new international agency was an instrument dominated by the old-fashioned concert of big powers. The gradual elimination of the preponderance of the big countries was healthy and necessary in order to remove the suspicions of the smaller countries. After 1932 the position became more and more satisfactory for the less privileged members of the League, and susceptibilities were gradually allayed. Criticism on this count became rare.

From a practical point of view this development was less important than appeared on the surface and to some students. Had the big powers been unified spiritually and in their power politics the possession of all or most of the important posts in the Secretariat would have been an alarming fact indeed. But this was never the case, neither at the beginning nor later. The French and British policies soon separated on vital questions; the foreign policy of Fascist Italy began to go its own way;

<sup>26</sup> See chapter on "National Structure," *infra*, pp. 359-61.

Germany's revisionism was a challenge to most of the victors from the moment of that country's entry into the League; Russia never identified herself with any major power in its concept of foreign affairs, and Japan, after several years of collaboration, ceased to align herself with her former Allies. In practice, therefore, the smaller powers, never found themselves face to face with a concert of the big powers. The danger implied in the latter's occupation of the important posts was therefore considerably less than was assumed by many students of the League who overlooked the essential disunity of the powers with world-wide interests. If there was some danger to the smaller powers in the original composition of the high direction it was the minor one that their points of view and interests did not find sufficient expression. But even this was compensated to a certain degree by the fact that the very disunity of the big powers induced them, in various degrees, to champion the interests or alleged interests of groups of small countries. Within the Secretariat this became obvious not only in questions of major policy but also in staff questions. When the post of director of the Disarmament Section became vacant in 1930, Germany, for instance, championed the idea of entrusting a "neutral" with this office while it seemed that a Britisher had the first claim to the appointment. The less privileged ones were therefore not without their champions and defenders of their rights, even under the full sway of the original practice. But a situation in which one was at best represented by proxy was unsatisfactory, undignified, and sometimes even dangerous. It was an act of political wisdom and justified expediency to put it right.<sup>27</sup>

#### 4. POLICY COUNCIL OF PRINCIPAL OFFICERS

The High Directorate was no composite body and possessed, as stated, no coordinating machinery of its own. The Secretary-General was under no obligation to consult the principal officers except, perhaps, his Deputy and later his Deputies. But the need for some sort of regulated exchange of ideas was soon felt. The Secretary-General created the institution of *Directors Meetings* as a link between himself and his principal collaborators. They met under the chairmanship of the Secretary-General or his Deputy and were composed of all the principal officers and persons permanently in charge of sections. Sometimes acting chiefs of section replaced the permanent heads in their absence

<sup>27</sup> The evolution of the nationality distribution of the whole Secretariat is treated in section 3 of the chapter on "National Structure," *infra*, pp. 354-58.

or in case of a vacancy. Originally these meetings were weekly and had considerable importance, in spite of their informal and purely consultative character. The whole body of principal officers was sufficiently homogeneous to make a confidential exchange of information possible. Directors' meetings preceding Council meetings were of special importance.

Slowly a transformation took place. The meetings were held at greater and greater intervals and increasingly they assumed a more technical character. After the departure of the first Secretary-General, they were replaced more and more by *Section Meetings*, — business meetings pure and simple, — at which the provisional agenda of forthcoming Council sessions and similar questions were discussed, from the standpoint of priority or sequence of the items on the agenda rather than from the policy angle. These Section Meetings were less exclusive in their composition, each section delegating a representative. They were rarely presided over by the Secretary-General. The blame for the slow but steady decline of the institution of the Directors Meetings has been largely placed upon the second Secretary-General. Yet there were reasons of a more objective rather than personal character that played at least as important a rôle in the development.

With the transformation of Italy into a Fascist state and with the entry of Germany into the League, the moral unity which previously had been characteristic of the high direction and had favored frank exchange of opinion, disappeared. Moreover, as described in another context,<sup>28</sup> these newcomers became more and more inclined to regard themselves as representatives of their countries within the Secretariat. There was a risk, which later became a certainty, that confidential information would be transmitted to Rome and Berlin. The confidentiality of these discussions had virtually ceased to exist. This situation was not to be tolerated, unless one held the opinion that everything happening at the center ought to be known under any circumstances, and at any moment, by the governments. This obviously was not the view held at Geneva. The confidential discussions were therefore abandoned by the administration for the sake of self-protection, and the Directors Meetings lost all importance.

While the Report of the Committee of Thirteen<sup>29</sup> was correct in stating that the Under Secretaries-General and Directors had access to all files, there is much in any administration that is not found in files.

<sup>28</sup> See chapter on "Problems and Pains of Growth," *infra*, pp. 249-55.

<sup>29</sup> *Op. cit.*, p. 13.

The Secretary-General and his closest collaborators were therefore dependent upon a constant exchange of views for the effective dispatch of their duties. With the gradual decline of the Directors Meetings the relations between the head and his principal collaborators were therefore governed to an increasing extent by the degree of their mutual trust and confidence. Sir Eric Drummond kept fairly close contact with his collaborators, independently of the Directors Meetings, and the relations were, on the whole, satisfactory though some Under Secretaries-General complained of important information being withheld from them.

The informality and casual nature of the links between the head of the internal administration and his immediate collaborators have raised the question of the possibility and advisability of formalizing the relationship. The question, in a nutshell, is whether the past system under which the head of the international administration was exclusively responsible to the member States should not be replaced by the creation of a formal body with power of veto or authority to participate in the decisions of the head of the international Secretariat.<sup>30</sup> The responsibility of one man would thus be transformed into a policy council, composed of a small number of chief executives, a kind of cabinet in the sense of parliamentary government. This point was given succinct expression in the Minority Report of 1930 by the German and Italian members of the Committee of Thirteen. After having pointed out that "there are only two officials who are really responsible for the general direction of the Secretariat, the Secretary-General and the Deputy Secretary-General," the Minority Report continues:

From the political point of view, the international character of the higher direction does not appear to be sufficiently safeguarded so long as only the nationals of two countries are made responsible for the general direction of the Secretariat.

#### As a possible remedy

a system of joint control by a limited number of high officials might perhaps be considered. The Under-Secretaries-General might form a Governing Board, with the Secretary-General in the chair, and on a footing of equality as between one another. This Governing Board would, for instance, discuss in plenary session all general questions, of any kind whatever, and all the more important matters affecting each Section, calling in the competent Directors in succession to its counsels. It would consider the action to be taken in pursuance of the decisions of the Council and the Assembly, would take steps to ensure liaison with States

<sup>30</sup> *Proceedings of the Exploratory Conference on the Experience of the League of Nations Secretariat, op. cit.*

Members, examine the draft agendas of the Assembly, Council and Committees, study the documents submitted to the Assembly, Council and Committees, authorise officials to proceed on missions, and examine the reports submitted by these officials to the Secretariat on the completion of their missions in the different countries.<sup>31</sup>

A similar opinion was later expressed by a former official of the League.<sup>32</sup> He thought that the international Secretariat should be run in the same manner as the Swiss Federal Council, namely through frequent meetings of the executive heads. Responsibility should be collective. Under such a system the Secretary-General would become a *primus inter pares*, like the British Prime Minister or the President of the Swiss Confederation. This suggestion, based on preoccupation with the international character of the leadership in the Secretariat, seems attractive at first glance. But it overlooks the basic fact that the Secretary-General cannot and should not be compared with the head of a government, but rather with the permanent heads of ministerial departments. Like the latter, the Secretary-General is not a policy shaper but a policy executor. The relationship of the Secretary-General to his immediate collaborators cannot therefore be that of a prime minister to the members of his cabinet. Any scheme based on this analogy must be discounted as long as international administration is not the executive branch of world government.

In a memorandum on the question of centralization within the League of Nations Secretariat, made available to the Division of International Law of the Carnegie Endowment, Mr. Vladimir Pastuhov brought forward another argument against the probability that such a system would function effectively. He believes that the Great Powers would insist on being represented in such a governing body. A monopoly of the Great Powers would hardly be acceptable to secondary powers, and as time went on such a body would gradually be augmented in order to give representation to the latter. The result would probably resemble the evolution of the Council of the League, which began with eight members and eventually comprised fifteen. The conclusion implied in his argument is that in this process such a governing body would become unwieldy and inoperative.

There remains the argument on which the whole elaborate suggestion is based, namely, that the Secretary-General, under present circum-

<sup>31</sup> Committee of Thirteen, *Report*, p. 30.

<sup>32</sup> *Proceedings of the Exploratory Conference on the Experience of the League of Nations Secretariat*, *op. cit.*

stances, is not and cannot be "an international man" and that his neutrality is therefore not fully safeguarded. This argument would carry considerable weight were the Secretary-General a policy-shaping official. The fact, however, that he carries out the policy unanimously agreed upon by all the member States, and *only* policies that have been thus agreed upon, invalidates the argument. As stated previously, his position is rather comparable to that of a permanent civil servant heading administratively (not politically) a ministerial department under a coalition cabinet. He executes the common policy of the different political parties represented in the ministry, independently of his personal political views. Administrative experience has proved that a national ministry or department cannot be directed by a commission or governing body. In the case of a vast international administration this would be still more impractical.

Even the members of the minority must have felt the strength of these arguments, for, after expounding their plan, they themselves abandoned it by suggesting a less far-reaching alternative "perhaps better suited to present requirements." The Secretary-General would retain the ultimate responsibility but he would be assisted by an Advisory Committee consisting of Under Secretaries-General. This body would keep itself informed on all political questions and all questions involving a principle.

The majority of the Committee of Thirteen did not go even this far. In order not to infringe upon the constitutional position of the Secretary-General it opposed the idea of any policy council or governing body. In its opinion it was sufficient that the Secretary-General —

should be able to consult the responsible heads of the various sections, and not to be obliged to receive their advice at second hand through the Under-Secretaries-General.<sup>33</sup>

The problem is not solved, however, with a mere reference to the possibilities of consultation afforded the Secretary-General and the expectation that he would avail himself of them. Certain arbitrary measures taken by the second Secretary-General during the critical months of 1940 have thrown new light on the problem and given a new impetus to the discussion of this question with a view to future developments. It is the almost generally accepted opinion of persons with inside experience that, basically, the head of the international administration must retain the sole and final responsibility but that his relationship to

<sup>33</sup> Committee of Thirteen, *Report*, p. 13.

his principal collaborators should be formalized by the creation of an advisory body. While the head could not be formally outvoted on any question, a compact opposition to an opinion held by him would recommend caution and, in practice, lead to the abandonment of views in which he would find himself isolated. Such an advisory body would thus fulfil an important function without hampering the unity of control and command.

In conclusion it can be said that the basic character of the relationship of the head of the international Secretariat to the policy-shaping bodies, as well as sound administrative practice, militates against divided responsibility in the shape of a governing body or policy-shaping council of highest officials. The casual character of the past relationship between the head and his principal collaborators should, on the other hand, be replaced by the creation of an advisory body meeting at frequent intervals. The functioning and usefulness of such a body is largely dependent, however, upon the personality of the head of the international administration and the homogeneity of the highest officials. In the last resort its effectiveness depends upon the degree of unity of purpose achieved between the international Secretariat and the capitals of the leading member States.<sup>34</sup>

<sup>34</sup> *Proceedings of the Exploratory Conference on the Experience of the League of Nations Secretariat, op. cit.*

**PART III**  
**MACHINERY**



## A. EVOLUTION OF THE ADMINISTRATIVE SYSTEM

### CHAPTER VI

#### PRINCIPLES AND STRUCTURE OF ORGANIZATION

##### I. NATIONAL REPRESENTATION OR INTERNATIONAL CIVIL SERVICE?

The problems which faced the Secretary-General in organizing the League Secretariat were without precedent. There was nothing to guide him in his task. The incorporation, for example, in one British service of officials of English, Scotch, and Welsh extraction "with the expectation that in the course of their work they will be unconscious of their different national origins,"<sup>1</sup> was not a precedent, for they were in the service of one sovereign country. Nor could the experience gained by the Vatican in the organization of its multinational world-wide organizations (for example, Order of the Jesuits) serve as a proper prototype — quite independently of the fact that this experience was not readily available to a secular institution.<sup>2</sup>

A multinational civil service had been in existence for hundreds of years in the center of Europe, but it did not provide a proper analogy either. The nations forming Austria-Hungary, unlike those of Britain, did not lose the consciousness of their national differences. The Austro-Hungarian army, navy, foreign services, and civil administration were staffed with persons of the most varied national and racial stocks. At least twelve nationalities and a score of minor language groups were represented therein. These officials and officers were not compelled to give up their nationality or to become Germanized, as has been widely stated by persons unfamiliar with the facts. The only condition imposed upon a candidate in this respect was that he be able to conduct his official duties in German. From a technical point of view, Austrian civil servants were therefore not in a very different position from the Rumanian, Hungarian, Chinese, or Japanese officials of the League who agreed to employ the French and English languages

<sup>1</sup> Sir Arthur Salter, *The United States of Europe, and other Papers*. (London: George Allen & Unwin, Ltd., 1933), Part I, Chapter VIII: "The International Character of the League Secretariat," pp. 125-42, at p. 127.

<sup>2</sup> The relationship between the Vatican and the League was for many years a delicate problem. Both Secretaries-General were Catholics. There was, among the members of the staff, always one higher official considered the unofficial liaison officer between the Secretariat and the Vatican.

in the execution of their duties as League officials.<sup>3</sup> The essential difference between the two cases lay in the fact that Austria-Hungary, unlike the League, was a sovereign state whose growth had been gradual over many centuries. During this time loyalties and traditions typical of a state, a dynasty, a government, developed. The typical Austrian civil servant was first an Austrian and only secondly a member of a national group, at least in principle, and up to the beginning of the twentieth century certainly also in fact. The civil service of Austria-Hungary was not an international administration but a multinational administration in the service of a sovereign State.

If the Austrian experience had been studied by the pioneers of the League Secretariat it might have suggested that existing cleavages, even strong disaffection, can be counterbalanced or more than counterbalanced by a common administrative loyalty, by common social and material conditions. This might have conveyed the important lesson that supranational loyalty was possible even if full harmony among the members composing the international organization should not be achieved. But who could have expected the League's creators to ponder this lesson of the past at the very moment when the Dual Monarchy had dissolved into her component parts under the impact of the explosive forces of nationalism?

The experience of the existing international public unions and bureaus furnished no useful analogy. The administrative centers of these unions and bureaus were extremely small; their staffs, as a rule, were not multinational. The officials of the Universal Postal Union, for example, were Swiss citizens, former postal employees entrusted with an international task, and the Secretariat of the International Health Office in Paris was wholly French.<sup>4</sup> In the case of other international unions or bureaus the duties incumbent upon the central office were fulfilled by national officials as part of their work. These international secretariats had evolved and adopted an *ad hoc* technique from which the new international Secretariat had little to learn.

The experience of the Pan American Union might have conveyed some interesting lessons. Its secretariat was founded in 1890, and in 1918

<sup>3</sup> Their position was, of course, not fully comparable. Some of the Austrians (Czechs, Italians, Poles, or Ruthenians) strongly objected to a situation which compelled them either to execute their duties in the German language or to forego government service altogether. The candidate for employment in the League had, as a rule, no emotional objection to a situation which demanded command of French and English.

<sup>4</sup> Frank G. Boudreau, "International Civil Service," in *Pioneers in World Order; An American Appraisal of the League of Nations*, Harriet Eager Davis, ed. (New York: Columbia University Press, 1944), p. 78.

it employed some seventy-five persons, representing about ten nationalities. But this experience was remote from the knowledge of the majority of the draftsmen of the Covenant and of the Secretary-General. Moreover, it was of a regional character and therefore seemed not to have much bearing upon the League with its universalist concept. A study of the precedent would have shown that the officials of the Pan American Union were not and are not to this day international officials in the sense in which we have come to understand the term. They had and have no international civil service status comparable to that which was subsequently granted to League officials; rather does their status resemble that of the employees of the major public international unions. Had the Secretary-General decided to compose the League Secretariat of national nuclei, the multinational character and the size of the Pan American secretariat might have provided an interesting prototype. Whatever the reasons for the neglect to make use of this experience, there is no indication whatsoever that the draftsmen of the Covenant and the Secretary-General were aware of the supranational experience gained in Washington over a period of nearly twenty years.

More important was the most recent experience in international cooperation, that of the inter-Allied war agencies of 1917-18. These bodies had successfully solved important wartime problems for the Allies, particularly in the field of shipping, and had made an important contribution to the winning of the war. Their work had practically ceased with the armistice of 1918, but it was widely suggested that the body of experience gained in the solution of major international problems during the war should be utilized for the purpose of the new international administration.

This is not the place to examine in detail the question of the influence exercised upon the League by the technique of international action created by the Allied wartime agencies.<sup>4</sup> The principle of direct contact between representatives with executive authority underlying the work of these Allied bodies left its imprint upon the whole technical work of the League, and the question has been rightly asked whether this was altogether fortunate for the evolution of this work.<sup>5</sup> The present study,

<sup>4</sup>The reader is referred to Sir Arthur Salter, *Allied Shipping Control* (Oxford: Clarendon Press; London, etc.: Humphrey Milford, 1921), especially Part V, discussing the bearing of the war experience in international administration upon peacetime international organization.

<sup>5</sup>For an evaluation of the doctrine developed by Sir Arthur Salter, see Jan Hostie, "Communications and Transit," in Institute on World Organization, *World Organization; A Balance Sheet of the First Great Experiment* (Washington, D. C.: American Council on Public Affairs, 1942), p. 177.

being exclusively devoted to the technical aspect and staff problems of international administration, must restrict itself to the examination of the question whether the experience of the inter-Allied agencies has in any way served as a precedent or contributed to shaping League administration.

Administratively speaking, these agencies operated with a minimum of machinery. Their clerical staff was small. Most of the work usually done by a headquarters staff was performed by officials belonging to Allied missions or the British ministries concerned, and in their offices. The administrative officials were seconded by national agencies for the preparation, the running, and the follow-up work of joint meetings. None of those working for these agencies were international officials, though they were entrusted with international duties. They remained in the pay of their national governments and lost none of their national identity in serving these supranational bodies. This pattern of work was clearly inapplicable to a permanent international agency of the type of the League with its headquarters organization and the unified direction foreshadowed in Article VII of the Covenant. There was, however, among the statesmen who were charged with the drafting of the Covenant and their collaborators, a tendency to follow the patterns for staff organization established by these bodies and to organize the personnel of the League Secretariat on national lines.

In a Sidney Hall lecture, delivered by Mr. F. P. Walters at Oxford in 1941, a former Deputy Secretary-General of the League gave a graphic account of the dramatic dilemma facing the first Secretary-General at the outset. Should the secretarial work of the Assembly, the Council, and the other League organs be planned on national or international lines? Should the administrative work be done by staffs or by national delegations? The example of the inter-Allied committees of the war was fresh in everybody's mind. According to Mr. Walters, Sir Maurice Hankey, who declined the invitation to become the first Secretary-General, was at that time in favor of preserving the national character of the component parts of the personnel. But "Sir Eric Drummond boldly decided to try from the first to organize his staff as an international civil service, each official being supposed to act only on the instructions of the Secretary-General and in the interest of the League, without regard to the policy of his own Government. To many his plan seemed Utopian at the time. . . ." <sup>6</sup> In the perspective

<sup>6</sup> F. P. Walters, *Administrative Problems of International Organization*, Barnett House Papers, No. 24 (London: Oxford University Press, Humphrey Milford, 1941), p. 16.

of the twenty-five years which have since elapsed there is disagreement in hardly any quarter regarding the wisdom of this initial decision, and it seems extremely unlikely that any major future international agency will revert to the system of national representation. According to Mr. Walters, "The credit for this happy result was due in the first place to Sir Eric himself, in the second to the enthusiasm for the League of the members of the Secretariat, and finally to the attitude of the Governments, who for the most part refrained from trying to bring undue influence to bear on their nationals within its ranks."<sup>7</sup>

It was a uniquely adventurous journey into unexplored territory on which Sir Eric embarked, with no familiar landmarks, mapped charts, or itineraries to direct the traveler. None of the persons originally called upon to assist the Secretary-General in recruiting his staff had had, as far as is known, any experience in personnel management. Apart from the principle of creating an international civil service, there was but one guiding idea, namely, to make appointments only after the administrative need had arisen, and not to create — apart from a few skeleton provisions — administrative frames for needs which had not yet actually developed. Proof of this is the fact that no services for a number of tasks specifically mentioned in the Covenant were established in the skeleton Secretariat of 1920. Sir Eric's concept was approved by the policy-shaping bodies of the League and was accepted as a natural state of affairs. The impression that an extremely daring, nay revolutionary, decision had been taken soon faded owing to the success which had crowned the attempt.

A report presented to the Council by Mr. A. J. Balfour (the late Lord Balfour) and adopted by it at its meeting in Rome on May 19, 1920, defined officially the character of League officials as international civil servants:

Evidently no one nation or group of nations ought to have a monopoly in providing the material for this international institution. I emphasise the word "International," because the members of the Secretariat once appointed are no longer the servants of the country of which they are citizens, but become for the time being the servants only of the League of Nations. . . .

The members of the staff carry out, as I have explained, not national but international duties.<sup>8</sup>

The Noblemaire Report of 1921 concurred, and the Report of the Committee of Thirteen left the principle essentially untouched.

<sup>7</sup> Walters, *op. cit.*, p. 16.

<sup>8</sup> Balfour Report, *op. cit.*, pp. 137-39.

## 2. DEVELOPMENT OF THE SCHEME OF ORGANIZATION

The initial decision to organize the Secretariat not as an administration composed of national nuclei but as a unified international civil service, reduced *a priori* the number of possible solutions. Still, there remained alternatives, foremost among them the possibility of dividing the administration into geographical areas, of organizing it on functional lines, or of combining both. The Secretary-General decided in favor of a functional structure.

### A. THE ADMINISTRATIVE SUBDIVISIONS

At the first meeting of the Organization Committee of the League of Nations which took place in Paris on May 5, 1919, a resolution was passed authorizing the Secretary-General "to engage a temporary staff and offices and incur such other expenditures as he considers necessary."<sup>9</sup> The work of organizing the Secretariat began immediately after this decision had been made.<sup>10</sup> With a typically British aversion to charts and blueprints the Secretary-General approached the task empirically. He wanted to see the new organism grow according to its own inner laws and therefore avoided placing the administration in a strait-jacket. His *modus procedendi* was to establish a catalogue of the tasks entrusted to the international organization by the League Covenant and those implied in the different treaties, to single out those demanding early action or attention on the part of the Council or Assembly, and then to establish the necessary services for these activities within the framework of a skeleton organization.<sup>11</sup> Plans for the provisional organization of the Secretariat were adopted by the Organization Committee and were finally approved by the Council at its fifth meeting in May, 1920, together with the appointments to the staff and the salaries arranged by the Secretary-General.

A "Memorandum by the Secretary-General," probably issued in the summer of 1919, provides us with a unique insight into his technique of procedure. In an introductory note the Secretary-General explains that —

<sup>9</sup> Miller, *My Diary at the Conference of Paris*, Vol. IX, Document 922, p. 273.

<sup>10</sup> For an early draft of an organization scheme, see the Memorandum of Monnet, reproduced by Miller, *ibid.*, Document 996.

<sup>11</sup> In the preliminary discussions, apart from the services actually established in 1919, a number of other sections were considered, *inter alia*, a Section for Questions relating to Women and an Educational Section. These projects were abandoned before the Secretariat started. Educational questions were later dealt with, in a very restricted measure, by the Intellectual Questions Section. See Krabbe, "Le Secrétariat Général de la Société des Nations et son activité," *op. cit.*, p. 268 n.

The present scheme of organisation will be perhaps best explained by an enumeration of the Sections which it has been found desirable to establish, though some of these are on a purely skeleton basis. Further Sections will, no doubt, have to be added from time to time, and the present list should be regarded as purely provisional and capable of modification in the light of experience.<sup>12</sup>

This is followed by the enumeration of the sections:

1. Administrative Commissions and Minorities Questions
2. Economic and Financial
3. Information
4. International Bureaux (Article XXIV)
5. Labour
6. Legal
7. Mandates
8. Political
9. Registration of Treaties
10. Social Questions
11. Transit and Communications

The following departments were formed to deal with the internal administration of the Secretariat:

1. Finance
2. Library
3. Registration, Archives and Distribution
4. Establishment (Shorthand, Typing and Duplicating)
5. Interpreting and Translating
6. Précis-writing

Looking at this scheme with the knowledge of subsequent developments, one is struck by the degree to which this early skeleton organization proved to be definitive, a high tribute to the judgment and foresight of Sir Eric Drummond. In essence the organization survived the evolution and increase of the work of the twenties unchanged; it also withstood the early thirties, and was only discarded in 1939 under the impact of the mortal crisis into which the Secretariat was precipitated by World War II.

One of the most interesting shifts is reflected in the disappearance of a special section dealing with International Bureaux (Article XXIV of the Covenant), its subsequent incorporation into the Intellectual Cooperation Section, and its final disappearance for all practical purposes. Not Article XXIII, the constitutional basis of practically the

<sup>12</sup> L.N., *Staff of Secretariat, Memorandum by the Secretary-General*, Document du Conseil 6-29/1083/1083, p. 3.

whole subsequent technical work, but Article XXIV was considered the starting-point for an attempt to coordinate all the international non-political public activities of the world. Article XXIV of the Covenant reads:

1. There shall be placed under the direction of the League the international bureaux already established by general treaties if the parties to such treaties consent. All such international bureaux and all commissions for the regulation of matters of international interest hereafter constituted shall be placed under the direction of the League.

2. . . .

3. The Council may include as part of the expenses of the Secretariat the expenses of any bureau or commission which is placed under the direction of the League.

Mr. Leonard S. Woolf<sup>13</sup> recorded no less than thirty-three major international bureaux and unions operating on the eve of World War I. Of these, the Universal Postal Union and the Telecommunications Union, to use a term belonging to a subsequent stage of development, were the most important. Unable to foresee the growth of the technical work of the League proper, the fathers of the Covenant were chiefly concerned with the problem of integrating these existing non-political international bodies into the League in order to make the League the pivotal point around which all the public international bodies of the world could and would revolve.

This is not the place to go fully into the reasons for the inability of the League to carry out one of the most concrete tasks entrusted to it by the Covenant.<sup>13a</sup> Suffice it to state that the efforts toward integration failed, chiefly for the following reasons: (1) The statesmen in Paris underrated the strength of the vested interests created by half a century of successful service of some of the major international unions. These vested interests were strong enough to defeat all attempts made to persuade them to give up their autonomies. (2) Neither the United States, nor Soviet Russia, nor Germany — prominent members of most of these bodies — were in the League when the implementation of Article XXIV was attempted. (3) None of the major League powers seemed to care much whether this article became operative or not.

The early attempts of the Secretariat to implement the stipulations of

<sup>13</sup> *International Government; Two Reports* (London: George Allen & Unwin, Ltd., 1916).

<sup>13a</sup> See Pitman B. Potter, *The League of Nations and Other International Organization; An Analysis of the Evolution and Position of the League in Cooperation among States*, Geneva Special Studies, Vol. V, No. 6, 1934 (Geneva: Geneva Research Center).

the Covenant were therefore frustrated, and the League for all practical purposes soon discontinued its efforts in this direction. Yet so much importance was attached to this task that one of the two Under Secretaries-General had originally been charged with dealing with this question. In subsequent years little more survived than the words "international bureaus" figuring in the title of one of the League's sections. Apart from the fact that the League achieved control over a few more or less bankrupt or unimportant international unions,<sup>14</sup> no progress was made at all. The expanding activities of the League's own work in the technical field absorbed all interests in this direction and made the fate of Article XXIV a matter of comparatively little concern.

At the beginning of the work, when the Secretariat was still operating in London, certain "common services" between the League Secretariat and the ILO existed, notably those for translations and public relations. They were maintained even after the bulk of the ILO staff had moved to Geneva. The officials of these common services were carried on the Secretariat budget and not on the budget of the ILO. The growing independence of the ILO, its quick expansion, the resolve of its Director to sever the ILO as much as possible from the Secretariat, a certain incompatibility of temperaments between the Secretary-General of the League and the dynamic Director of the ILO led to a discontinuance of this arrangement. Edward J. Phelan has recorded the sharp struggle which ensued. Its outcome had important consequences. "It made clear once and for all the autonomous character of the Office and the necessity for constituting it as a self-contained unit." "The 'common services' had been an experiment which when examined was seen not to have given satisfactory results."<sup>15</sup> Moreover, a common press service could not yield permanently good results. The public relations policies of the two bodies could not be brought under a common denominator, in view of the difference not only of their tasks but also of the concepts underlying their work.

The following are the major structural changes that were effected with respect to the sections between 1919 and 1938. They consisted (a) in abolition of sections, (b) in mergers, and (c) in the creation of new sections, by dividing existing services and establishing full-fledged sections from their component parts, or (d) by creating altogether new services.

<sup>14</sup> One notable exception was the Nansen International Office for Refugees.

<sup>15</sup> See Edward J. Phelan, *Yes and Albert Thomas* (London: The Cresset Press Limited, 1936), p. 106.

- (a) The Labor Section was altogether abolished; it became unnecessary with the growth and increased autonomy of the ILO. The official in charge of this service went over to the International Labor Office.
- (b) The Legal Section was combined with the Registration of Treaties Service into one department.  
The International Bureaux Section was combined with the newly created Intellectual Cooperation Section in 1928. The words "International Bureaux" were subsequently eliminated from the title of the Section.

- (c) The original Social Questions Section split into three sections after many ups and downs, in the course of which the service is recorded alternately as Social Questions Section, with the word "Health" added in brackets (October, 1919), as Health Section (October, 1920), combining the Social Questions and Health Services, and as Social Section and Opium Traffic Questions (1922). By 1931, three separate sections had taken over the original work entrusted to the Social Section, namely, the Health Section, the Social Questions Section, and the Opium Traffic Section.

The Economic and Financial Section was divided in 1930 into two independent sections, and the Economic Intelligence Service was attached to the Financial Section.

In 1934, the Administrative Commissions and Minorities Questions Section was separated into two parts: The Administrative Commissions Bureau, which was merged with the Political Section; and Minorities Questions Section.

- (d) A Disarmament Section was added in 1920 (originally figuring under the title Secretariat of the Permanent Commission) and, in 1933, the Central Section was created.

In accordance with a decision of the 1929 Assembly the Central Service of the High Commissioner for Refugees was, as from January 1, 1930, placed under the administrative authority of the Secretary-General and incorporated, as an experiment, in the Secretariat. The Service formed a temporary Section of the Secretariat. In consequence of a decision of the 1930 Assembly to reorganize the work on behalf of the refugees, the humanitarian side of the work was entrusted to an international body, the Nansen International Office for Refugees, and the Section ceased to operate as an integral service of the Secretariat.

Shifts were frequent in the internal administration, but they are of no permanent interest for the outside observer apart from the fact that the Personnel Office emerged as a special service with the director of the Internal Administrative Services as its head.

## B. THE GROUPING OF THE SERVICES

The services of the Secretariat were originally split into two major groups: the sections and the internal administrative services. This division was replaced in the early twenties by a division into three major groups which were essentially preserved until 1939. The first group was termed *General Organization of the Secretariat*; it included the Secretary-General and his office, the Deputy Secretary-General and Under Secretaries-General and their offices, and those services and sections serving the Secretariat as a whole (the so-called "General Services"). The second group, entitled the *Internal Administrative Services of the Secretariat*, comprised all the auxiliary services needed for the work within the Secretariat, including the Personnel Office and the services required because of the bilingual character of the administration. The third group, named *Special Organizations of the League*, included all sections of a specific character. This division of services was the result of budgetary, not administrative, considerations. This is proved by the fact that apart from the second, these groups of services were never under unified command.<sup>16</sup>

The accompanying two graphs illustrate the administrative structure of the Secretariat in 1930 and 1938 respectively. The 1930 chart is a reproduction from a chart contained in the Report of the Committee of Thirteen;<sup>17</sup> the second chart has been drawn up by the author of this study. As a comparison of these two charts shows, no basic changes were effected during these years.

Based on recommendations of a Committee on Budgetary Economies, a series of contractions and fusions were effected at the beginning of 1939, which resulted in the regrouping of the Secretariat. At the time of the session of the 1939 Assembly the administrative structure of the Secretariat was as follows: Principal Officers and Officials Attached; Central Section; Legal Section; Information Section; Treasury; Department I — General Affairs (Reduction of Armaments, Mandates, Minorities, Intellectual Cooperation, Liaison); Department II — Economic and Financial and Transit Department; Department III — Health, Social Questions, Suppression of the Opium Traffic; Internal Administrative Services of the Secretariat; Library; Branch Offices; Liaison with member States; Secretariat of the Central Opium Board; Secretariat of the Administrative Board of the Staff Pensions Fund.

<sup>16</sup> This is fully treated in the chapter on "Internal Coordination of Work," *infra*, pp. 146-51.

<sup>17</sup> *Op. cit.*, p. 49.

This grouping was short-lived. The retrenchment of the Staff imposed by the crisis in May, 1940, led to a further amalgamation of the services which took the following form:

Principal Officers

[Central Section, Legal Section, and Information Section: inactive]

Treasury

Department I — General Affairs

Department II — Economic and Financial Questions; Communications and Transit

Department III — Health, Drug Control, and Social and Cultural Questions

Internal Administrative Services

Library

Branch Offices (the London and Delhi Offices surviving)

The Permanent Opium Board, a special organ with quasi-judicial functions, set up under the Geneva Opium Convention of 1925, appeared in the budget of the League under a separate chapter.

The activities of the Central Section and the Legal and Information Sections were suspended. Activities previously connected with these sections are now cleared through the instrumentality of Department I (General Affairs). The greater part of the services of Department II have been removed to the United States. The major part of the international administrative functions entrusted to the services of Department III dealing with Drug Control is now discharged in the branch offices of the Permanent Opium Board and the Drug Supervisory Body (set up under the Limitation Convention of 1931) which were opened in February, 1941, in Washington, D.C. A Health Research Unit of the League also was established in the same city in May, 1944, to collaborate closely with UNRRA. As of January 1, 1945, the Research Unit was transferred to UNRRA where it formed the nucleus of the latter's Epidemiological Information Service. The staff of the Research Unit was granted leave from the League.

At the beginning of 1943 the whole organization was further centralized, the Acting Secretary-General assuming direct control over most of the surviving services. This last stage in the evolution is clearly of a transitional character adapted to the small size of the remaining staff and dictated by the need for extreme economy.<sup>18</sup> In its present form the Secretariat constitutes either a nucleus for a new expansion or else a heritage of the past to be absorbed at a later stage by a new

<sup>18</sup> See chapter on "The Crisis," *infra*, pp. 373-77.





agency or agencies, or to be disbanded should existing services not fit into the pattern of future developments.

At the time this is being written, the outline of the future general international organization has not yet fully crystallized. Huge functional agencies of the type of UNRRA, the Food and Agricultural Organization, and other technical administrations, with budgets surpassing the entire League budget at the time of its greatest expansion, are evolving and others are in different stages of planning. Moreover the scheme for a General International Organization elaborated at the Dumbarton Oaks Conferences contains concrete elements of a new political international organization and important suggestions regarding the interplay of the political and technical international work of the future. Until more definite steps in the direction of organizing the new international agency have been taken no major developments regarding the Secretariat can be expected.

### 3. THE DEPARTMENTAL SET-UP

Administratively speaking, the Secretariat consisted, in 1938, of the offices of the Secretary-General and Under Secretaries-General, fifteen sections, various internal services, auxiliary offices outside Geneva, and a Library.

The most important administrative subdivisions were the sections. Webster defines "section" as "a part cut off or separated, or so conceived of; a division; portion; slice." In certain branches of the United States Government, Webster continues, the term is used to indicate "a small organization of employees carrying on special work, and forming usually part of a *division*." This latter part of the definition of the term "section" has been quoted, not because of its applicability to the League, but in order to point to a possible misunderstanding which this definition might create in the minds of the American reader. A section in the Geneva usage of this term designated one of the chief units comprising the international Secretariat. It had no connotation of smallness, though some of the sections actually were small, nor did it necessarily indicate that a section handled special work, as the existence of General Sections proved. Section, in the Geneva terminology, corresponded to a division in American, or a department in British, governmental practice. The character of these sections is furthermore indicated by the fact that there was no intermediary between the

heads of the sections and the head of the international administration.

The term "service" was used in a multiple sense, comprising different types of administrative units, whether they were sections, such as the Treasury or the Library, or a subdivision of a section, as for instance the Economic Intelligence Service, or the different units servicing the Secretariat internally, such as the Document Service or the Internal Service. Geneva, usually careful and logical in its terminology, employed this term rather loosely.

#### A. SECTIONS

The sections fell into two categories: the general and the special sections.

The General Sections, to which the Treasury and the Library must be added, served the Secretariat as a whole besides fulfilling special tasks. The Central, the Political, the Legal, and the Information Sections were the chief General Sections.

The Special Sections were divided according to the subjects they handled. Their delimitation was, on the whole, evident from their title. All minorities, mandates, health, and opium traffic questions were concentrated in the sections bearing the respective labels. There were some outstanding exceptions, however: The work of the League in the economic and financial field, originally administered by one section, was divided into two distinct services after Sir Arthur Salter's departure. Later a special Economic Intelligence Service was set up, which was combined with the Financial Section; the latter became, by this very fact, at least as much an economic service as the Economic Section itself. The second outstanding exception was found in the social and humanitarian field. Questions belonging in this category were treated by the Political Section, the Mandates Section, and the Intellectual Cooperation Section, apart from their treatment by the Social Questions Section. The Intellectual Cooperation Section was called upon for many years to deal with minor tasks lying outside its official domain for which no special section or service existed. Another exception consisted in the fact that some pieces of work were not entrusted to any one section, but to a specially established secretariat (e.g., Cooperation with China), or were retained by one of the Under Secretaries-General (e.g., Liaison with League Correspondents). Such departures were neither frequent, nor part of any considered plan. A section for instance,





temporarily charged with a new task, might have continued to deal with it permanently; or the allocation of a special piece of work might have been occasioned by the competence or the political tact of a Director.

It was the duty of the head of the administration to see to it that these activities remained within the constitutional limitations of the League, that they were carried on within the budgetary provisions, and that they remained coordinated. It was not he however who shaped the work of these sections in their respective technical fields. This was done from outside by the technical organization acting through the Council. In some cases this independence of the sections was very far-reaching. The Communications and Transit Section, for instance, was the Secretariat of the semiautonomous Organization for Transit and Communications and received practically all its orders of a technical nature from this outside body to which it was responsible for the dispatch of its business.

It is impossible to understand fully the character of the activities of the Special Sections without reference to the entire League organization. Like the General Sections, these Special Sections served the Assembly and the Council by dealing with work directly emanating from these bodies. They supplied the Assembly and the Council with reports, assisted the chairmen and *rapporteurs* of the Assembly Committees, or provided secretarial help. But the greater part of their activities was shaped, directed, and instigated by standing or temporary committees set up by the Council.

As stated above, the major part of the work of the Secretariat was organized on functional lines, i.e., the sections were charged with specific subject-matters. There were, in general, no regional or national divisions, no geographical lines of demarcation. Most of the sections handled their work on a global scale within the confines of League membership, and some of the work was global without any restrictions. The Social Questions Section handled problems pertaining to traffic in women and children in the Malayan Archipelago as well as those related to prostitution in Rumania; and the Economic Intelligence Service of the League could not omit from its studies data relating to the U.S.S.R. before or after her participation in the League without gravely jeopardizing the value of the work. But while the work was organized on functional lines, some of the services were clearly restricted to geographical areas, for instance, the activities of the Mandates and Minorities Sections.

Certain of the tasks entrusted to the League were regional in character, for example, its responsibilities in the Saar, Danzig, and Memel. Moreover, a few desks in the Secretariat corresponded to "geographical" desks in foreign offices and departments of foreign relations. This was not the result of any territorial conception, however, but rather the outcome of specific responsibilities imposed upon the League, or was due perhaps to the special requirements of a service such as the national desks in the Information Section. As most of the administrative tasks growing out of the peace settlement of 1919-20 were limited in time, even the few existing "territorial desks" were limited from their inception and bound to disappear.

This does not suggest that the League Secretariat dealt with all problems on a world-wide scale. Most of the political and many of the non-political problems entrusted to the League Secretariat were of a regional or national character like the Manchurian or Ethiopian conflicts (up to the enactment of sanctions), the financial reconstruction of Austria or Hungary, the population transfer between Turkey and Greece. But duties of this kind were often temporary and did not necessitate permanent services such as are maintained in regard to Central Europe or the Far East by the United States Department of State.

Specialization of the personnel of the League was therefore on functional (subject-matter) lines rather than territorial, though certain officials would in the course of one definite assignment acquire special knowledge of a given area. Specialized knowledge or relationship on the part of an official with respect to a given territory would not necessarily recommend him for work relating to that territory, as it was considered inadvisable that any citizen of either of the parties to a dispute, or of a country closely associated with one of the parties, should hold a responsible position in any controversial matter involving his own country.<sup>19</sup>

The different sections profited not only from the varied administrative experience of their members coming from about forty countries,<sup>20</sup> but also from the fact that these officials were originally of different occupations and, in so far as they had been national officials, came from different administrations such as foreign offices, economic min-

<sup>19</sup> *Proceedings of a Conference on Training for International Administration Held at Washington, D. C., August 21-22, 1943, under the Auspices of the Division of International Law of the Carnegie Endowment for International Peace* (Washington, D. C., 1944).

<sup>20</sup> See chapter on "National Structure," *supra*, p. 358.

istries, statistical bureaus, etc. The synthesis achieved at Geneva was therefore not only one of different national patterns but of different experiences within the various nations.

The various departments and services functioned under uniform staff and office regulations, but each of them maintained up to a point its administrative individuality within the framework of the Secretariat. Each section preserved its own profile. The personalities of the directors, the administrative background and traditions of some of their members, and the importance attributed thereto by the Secretary-General colored their methods and working techniques. These factors were particularly important in the first and experimental stage of the Secretariat. The Political Section reflected the diplomatic origins of the majority of its members; the bulk of the staff of the Financial Section and Economic Intelligence Service was engaged in research work and had been selected for its scientific or academic training or achievements. The Social Questions Section was for many years a cinderella of the Secretariat; the Minorities Questions Section was a model because of the particular competency of its head. The Information Section was the administrative problem child of the Secretariat because of its nonchalant attitude toward the filing regulations of the Secretariat. The Health Section established a kind of independence not enjoyed by other sections thanks to the personality of its chief and to his and its achievements, apart from the fact that outside contributions took care of a considerable proportion of its activity.

In an effort to give members of the staff an over-all picture of the work in which their service was engaged, and to impress upon all collaborators the guiding principles underlying their daily chores, Section Meetings <sup>21</sup> were more or less regularly held in the larger sections. These gatherings were attended by officials of administrative rank and by junior members of the staff engaged in more than purely clerical activities. The practice and frequency of these meetings varied considerably from section to section. They were of particular importance in the Information Section as a means of exchange of information and in the intent of coordinating the public relations work of all the individual press officers.

The rôle played by directors of the different sections was by no means identical.<sup>21a</sup> Their position depended not only on the importance of the section but on a number of personal factors: their standing and

<sup>21</sup> These Section Meetings must not be confounded with the meetings of the representatives of the different sections, designated by the same term. (See *supra*, p. 70.)

<sup>21a</sup> See chapter on "The High Directorate," *supra*, p. 60.

relationship with the Secretary-General, their moral and intellectual fibre, their general administrative ability, their special competence for the task with which they were entrusted, their diplomatic skill in dealing with the various governments. It is only natural that all these qualifications and qualities were rarely found in one and the same individual. An outstanding example was Mr. Haas, Director of the Communications and Transit Section, whose premature death in 1935 was a heavy loss to the Secretariat at a time when personalities were needed more than ever. Mr. Haas had been associated with the work of this Section from the beginning, first as a Member of Section, later as Chief of Section, and finally as Director.

As the League Secretariat had no precedents to guide it in administrative practice and as its work developed largely on empirical lines, it was, in the case of each section, the director who, particularly in the first ten years of the Secretariat's existence, shaped the character of the work of his section to a considerable degree. The extent to which the personality of a director thus influenced the work in a particular field can be gauged by the following tribute paid to Mr. Eric Colban by Sr. de Azcárate in his monograph on "Minorities." According to Sr. de Azcárate, Mr. Colban, who was from the beginning of the League's existence until 1930 in charge of the work of the Minorities Section,

not only laid down the basis of its [the Minorities Section] organic structure, but, what is perhaps more important, firmly established its procedure and its working methods. All of us in the Section of Minorities were well aware of the general atmosphere of discontent, and even of hostility, surrounding us.<sup>22</sup> And it was by no means one of the easiest tasks of its Director to combat the effects of this atmosphere, and to maintain the morale of the Section. Nevertheless, viewing the matter with the perspective of time, I believe that no one really had any doubts concerning the absolute and scrupulous objectivity of its work, and of the sincere desire of its personnel to act fairly and justly.<sup>23</sup>

In the later phases of the Secretariat's evolution, especially after 1933, when the French administrative methods began to replace the original British concept of the Secretariat, the authority of the directors decreased.<sup>24</sup> Nevertheless, much continued to depend on the personal-

<sup>22</sup> This is a reference to the ungrateful task of the Minorities Section which had to take the blame for many of the limitations imposed upon the League Secretariat, a fact often not fully realized by groups appealing to the League under the minority stipulations contained in the respective treaties.

<sup>23</sup> P. de Azcárate, *League of Nations and National Minorities; An Experiment* (Washington: Carnegie Endowment for International Peace, Division of International Law, 1945), Studies in the Administration of International Law and Organization, No. 5, p. 123.

<sup>24</sup> See chapter on "The Shift to the French System," *infra*, p. 155.

ity of the director, his readiness to take his collaborators into his confidence, his willingness to give his subordinates credit for successful work, his ability to delegate responsibilities within the section, the conviction of the staff that his decisions were exclusively dictated by reasons of service and not by politics, personal likes or dislikes, or a tendency to self-aggrandizement. The closeness of all personal contacts at Geneva, and the difficulty of transfer from one section to another, gave to all these questions a significance quite out of proportion to their real importance. While the morale of the personnel depended primarily on the general atmosphere of the Secretariat, the directors were largely responsible for the spirit in which the day-to-day work of a section was executed. On the whole, there was a relationship of mutual trust and respect.

#### 4. PROTOCOL

The draftsmen of the Covenant in creating the League intended to replace outworn diplomatic methods and usages by methods more in keeping with the spirit of a new era. Diplomacy of the old type was to be supplemented or even superseded by a policy of open diplomacy. Diplomatic negotiations were to be replaced by the new technique of frequent and regular meetings of the statesmen themselves rather than their diplomatic officers. Direct negotiations were to take the place of the old methods of diplomacy. The wide publicity of League activities, the absence of ceremony and uniforms, the abandonment of a good deal of the accepted protocol — all reflected an effort to emphasize the democratic origins of the League. League conferences dispensed with many time-honored procedures. What had been a solemn occasion in the past now became a businesslike affair, shorn of many of its frills.

It was, under these circumstances, not surprising that the Secretariat dispensed with a Protocol Service.<sup>24</sup> A few simple rules were considered sufficient to take the place of the usual elaborate ceremonial. Duties incumbent upon the protocol division of a foreign office or a department of state were customarily executed by picked League officials whose diplomatic *finesse* seemed to safeguard an appropriate dispatch of missions of this kind. A Swiss official, M. de Montenach, was for many years the executor of delicate tasks of this type. On certain occasions, however, such functions were taken over by the Internal Services, sometimes with near-catastrophic results. Mr. Vladimir D. Pastuhov<sup>25</sup>

<sup>24</sup> Signifying the etiquette department of foreign offices and departments of state.

<sup>25</sup> *A Guide to the Practice of International Conferences* (Carnegie Endowment for International Peace, Division of International Law, Studies in the Administration of International Law and Organization, No. 4; in preparation).

recalls a rather painful incident that occurred in 1934, when a Soviet delegation put in a first appearance at a League Assembly. This delegation was led into the Assembly Hall before the moment for its official reception had arrived. It had to retrace its steps and to reappear a few minutes later. Through the bungling of an official of the Internal Services the solemnity of the occasion thus assumed a farcical character. It was further marred when, because of seating arrangements based on the French alphabetical order, the representatives of the Union of Socialist Soviet Republics had to take their seats somewhere in the back of the Assembly Hall between Uruguay and Venezuela. This incident was not taken too seriously by the delegates of the U.S.S.R., but it was unfortunate in view of the well-known insistence of Soviet diplomats and government representatives upon strict adherence to diplomatic usages and rules.

The neglect of ceremonial and protocol by the League authorities was felt acutely, especially by the representatives of Latin and Latin American countries with their greater emphasis upon customs and official formalities; and it was strangely contradictory to the very strict adherence to diplomatic usage practiced by the Secretariat in its correspondence. Being a diplomatic body, working through representatives of governments and not through popularly elected representatives of the member nations, it was not quite logical for the League to dispense with a service of protocol. After all, even democracies of the type of the United States, instinctively opposed to privilege and ceremonials, found themselves reluctantly compelled to establish a Division of Protocol. The experience of the League in this respect suggests that no future political international agency should altogether dispense with a service of this kind.

## 5. OFFICIAL LANGUAGES

Conferences had been held in French since the seventeenth century. The Congress of Vienna set the pattern for the diplomatic conferences of the nineteenth century which were held exclusively in French. Only the prestige of Bismarck prevented a diplomatic incident at the Conference of Berlin in 1878, when Shouvaloff suddenly began to speak in English in order to prevent any misunderstanding on the part of Disraeli whose French was somewhat defective. The Peace Conference of 1919 was the first major diplomatic gathering at which the French and English languages were officially used, and the conference machinery of the League followed this precedent. The Covenant is mute

on this point, and no formal decision was ever made in this regard, apart from certain stipulations contained in the Rules of Procedure of the Assembly.<sup>26</sup>

The permanent Secretariat which served the conferences held under the auspices of the League had to take account of this situation. The Secretary-General had no choice but to base the services upon the principle of equality of the two official languages. In the absence of any formal decision there was nothing to prevent the Secretariat from providing services in other languages, but technical and financial considerations suggested the limitation to English and French. In another context it will be shown that the League services showed themselves broadminded and cooperative in accepting communications from governments in all possible languages and translating them into English and French.<sup>27</sup> But communications emanating from the League or distributed through the good offices of the Secretariat were as a rule drawn up in English and French, and official interpretation of speeches at League meetings was only provided for by the Secretariat from English into French and vice versa. Delegates who desired to speak in another tongue had to provide their own interpreters. The League services were adamant on this point.

In an endeavor to attract the interest of the Spanish-speaking American countries an attempt was made in the beginning to facilitate the collaboration of those countries by supplying certain texts in Spanish. During the first session of the Assembly a Spanish-speaking staff was assembled whose duty it was to prepare and issue a daily summary in Spanish of the proceedings of the public meetings of the Assembly; furthermore, all speeches delivered in Spanish in the Assembly were printed as separate papers. These attempts were soon abandoned, however, and very few documents were subsequently issued in any but the English and French languages. In the last stage of the Secretariat's active existence certain experiments were made in dispensing with the publication of *all* documents in both languages, but these instances were rare and the reactions to the Secretariat's efforts to economize in this manner were not encouraging. The rule of bringing out all documents in both languages did not, however, apply fully to the Information Section, which issued certain publications and pamphlets in additional languages.<sup>28</sup>

The bilingual character of the work had considerable influence upon

<sup>26</sup> See Pastuhov, *A Guide to the Practice of International Conferences*, *op. cit.*

<sup>27</sup> See chapter on "The Individual Administrative Units," *infra*, pp. 138-39.

<sup>28</sup> See chapter on "Public Opinion and the International Center," *infra*, pp. 205-6.

the internal organization of the Secretariat <sup>29</sup> and upon the composition of the staff.<sup>30</sup> Moreover, it was one of the major elements that entered into the high cost of the League administration in comparison with national administrations.<sup>31</sup>

The atmosphere of the Secretariat was bilingual, with an increasing emphasis upon French in later years. This was due to a number of factors, most important among them being probably the European diplomatic tradition which induced the majority of delegates to League meetings to use French in their official and non-official activities at Geneva;<sup>31a</sup> all continental European representatives with very few exceptions and all Latin American representatives addressed League meetings and negotiated at Geneva in French. To this must be added internal reasons: the continuous proportional decrease of British officials within the Secretariat;<sup>32</sup> the replacement of the first (British) Secretary-General by a Frenchman; and the fact that a great proportion of the lower, locally recruited staff did not speak English. The influence exercised by the surroundings in which the Secretariat found itself must also not be overlooked. The Secretariat was located in a French-speaking city which compelled all officials without exception to use French in their daily life and accustomed them to the use of French in their intercourse with persons of another tongue.

Some of the services of the Secretariat dispatched practically their whole business in French — for example, the Political Section; in other sections, such as the Opium Traffic Section, whose chief interest gravitated toward the East, English prevailed. Much depended upon the nationality of the director <sup>33</sup> or upon the prevalence of French or English officials in a given service. Most heads of services chose French in their day-to-day work and as medium of intercourse with their subordinates. A curious fact contributed to the prevalence of French which seemed to contradict all past experience. The "insular" British, with their proverbial inability to learn other languages, were as a rule more eager to learn French and proved much more adroit in handling it than the French in acquiring sufficient knowledge of English for private and official use. The proportion of British officials using French in their daily work and in annotating documents and minutes was considerably greater than that of French officials working in English.

<sup>29</sup> See chapter on "The Individual Administrative Units," *infra*, p. 135.

<sup>30</sup> See chapter on "Recruitment of International Personnel," *infra*, pp. 328-31.

<sup>31</sup> See chapter on "League Budget and the Secretariat," *infra*, pp. 224-26.

<sup>31a</sup> Herbert N. Shenton, *Cosmopolitan Conversation; The Language Problems of International Conferences* (New York: Columbia University Press, 1933).

<sup>32</sup> See chapter on "National Structure," *infra*, pp. 356-57.

<sup>33</sup> See *supra*, p. 94.

## CHAPTER VII

### THE INDIVIDUAL ADMINISTRATIVE UNITS

In the following pages an attempt will be made to describe the individual sections and services which existed in 1938. The sketches are, as a rule, divided into the following subsections: history; tasks, functions, and activities; internal organization;<sup>1</sup> publications;<sup>1</sup> staff.<sup>2</sup> Most of the sketches are based upon official or semi-official descriptions of their activities, particularly upon an official report on the "Present Activities of the Secretariat and Special Organisations of the League" issued in 1932,<sup>3</sup> brought up to date. The text of some is based upon material supplied by former or present members of the services in question, or has been scrutinized by them. Sources other than those mentioned are indicated in footnotes in each particular case.

Because of the special position of the Information Section as the most important link with world-wide public opinion, its activities are treated in a separate chapter, "Public Opinion and the International Center."<sup>4</sup>

For the purpose of this synopsis and the analysis of the interplay of the activities of the sections and services contained in the subsequent chapter, these services have been regrouped in a more logical manner than that which appeared for historical or budgetary reasons in official League documents. They are grouped as follows:

- I. *General Sections and Services*, such as the Central Section, the Political, the Legal, and the Information Sections, the Treasury, and the Library.
- II. *Specialized Services*, i.e., all individual sections, such as the Financial Section, Minorities Questions Section, Health and Social Questions Section, etc.
- III. *Internal Administrative Services*.

<sup>1</sup> The subdivisions "internal organization" and "publications" are omitted in the case of smaller sections or of services which were not responsible for major League publications. No attempt has been made to give under "Publications" a listing of all publications; rather, the most important and characteristic ones have been selected in order to give a general impression of the activities of the section in this regard.

<sup>2</sup> Global figures on the staff of the individual services do not include the director unless specially indicated; experts and specialists are included in the figures pertaining to Members of Section.

<sup>3</sup> L.N. Document A.21.1932., in O.J., Special Supplement No. 107, pp. 161-92.

<sup>4</sup> See *infra*, pp. 201-17.

## I. GENERAL SERVICES OF THE SECRETARIAT

## A. CENTRAL SECTION

## HISTORY

The Central Section was established in 1933. Its functions were previously performed by different services, chiefly by the Secretary-General's Principal Personal Assistant who held, in 1932, the rank of Chief of Section, and by a Member of Section attached to the Secretary-General's office, in collaboration with the Political and Legal Sections. The creation of a special section officially entrusted with coordinating the functions enumerated below was recommended by the Supervisory Commission in 1932 in connection with the proposed abolition of the private secretariats of the Under Secretaries-General.<sup>5</sup> It conformed, in addition, to the centralizing tendencies which became marked after the assumption of the office of Secretary-General by M. Avenol in 1933.<sup>6</sup> The section survived the amalgamation of services effected in 1939 as an independent unit. Its activities were suspended in 1940.

## TASKS, FUNCTIONS, AND ACTIVITIES

The Office Rules<sup>7</sup> define the duties of this Section as follows:

The Central Section assists the Secretary-General in his capacity as Secretary of the Assembly and the Council and, generally, in the co-ordination of the work of the Secretariat.

The chief tasks of the Central Section arising out of these terms of reference were:

- (1) to furnish the secretariat for the Council, the presidency of the Assembly, and the Assembly's General Committees;
- (2) to study the questions submitted to the Secretary-General for decision from the point of view of the constitution and in the light of official decisions of the Council and the Assembly (if necessary in consultation with the Legal and Political Sections and the Treasury, etc.);
- (3) to study and report to the Secretary-General on all questions relative to the admission or withdrawal of States members of the League of Nations (in consultation with the Political and Legal Sections);
- (4) to supervise the application of the General Regulations on Committees and to keep the Secretary-General informed of all changes in the composition of committees;
- (5) to examine and submit for the approval of the Secretary-General (or to approve in case of his authority having been delegated to the Central Section of (a) all reports or documents prepared for submission to the States members of the League, to the Council, or to the Assembly, including circular letters; (b) all draft reports of the major committees of the Assembly prior to their distribution to these committees;

<sup>5</sup> L.N., *Resolutions and Recommendations Adopted by the Assembly during its Thirteenth Ordinary Session* (1932), *op. cit.*, p. 18; also chapter on "The High Directorate," *supra*, pp. 61 and 63-64.

<sup>6</sup> See chapter on "The Shift to the French System," *infra*, pp. 152-53.

<sup>7</sup> L.N., *Secretariat Office Rules* (Geneva, 1936), p. 9.

- (6) to keep up-to-date lists of States members of the League and of addresses to which official correspondence is to be sent, of the Permanent Delegates near the League, of the members of the Committees of the League;
- (7) to deal (unofficially) with certain questions of protocol (in liaison with the *cabinet* of the Secretary-General, and if necessary the Political and Legal Sections);<sup>8</sup>
- (8) to report to the Secretary-General or his Deputy on intended official missions of members of the Secretariat.

As is evident from the above list of its activities, the duties of the Central Section were essentially technical in spite of the political implications of some of the questions with which it was charged. The coordination of political questions was effected by the Secretary-General's Chief of Cabinet, with or without the collaboration of the Political Section (see *infra*), and not by the Central Section. No clear delimitation of the respective duties of the Central Section and of the Secretary-General's Office was ever established, and in practice the situation amounted in some respects to a sort of dual control rather than a clear division of responsibilities. Only in a few cases was the relationship between the Central Section and the Secretary-General's Chief of Cabinet formalized (see, for instance, *supra*, paragraph 7).

#### STAFF

The staff of the Central Section was small. It consisted of two members of the First Division and one assistant, later two, belonging to the Second Division, apart from the head of the Section, who held the rank of Chief of Section. This rank was too low from an administrative standpoint in view of the fact that the functions of the head of the Section gave him authority to override opinions and decisions taken by directors in many instances.

### B. POLITICAL SECTION

#### HISTORY

The Political Section of the Secretariat was one of the original sections. It began its work before the Secretariat actually started operation, soon after the ratification of the Versailles Treaty. This Section was the diplomatic service of the Secretariat and should properly have been called the Diplomatic Section. In contrast to other sections the proportion of diplomats on its staff was always high. The first Member of Section appointed to serve on it was a British diplomatist, Mr. Harold Nicolson. True, part of the diplomatic activities of the Secretariat properly speaking was performed by the Secretary-General and his bureau, later by the Secretary-General and his Chief of Cabinet. But the bulk of the political and diplomatic work of the Secretariat was cleared through the Political Section. On the occasion of the regrouping of the services in 1939, the Political Section was dissolved and most of its remaining members were transferred to the new Department I (General Affairs).

<sup>8</sup> See chapter on "Principles and Structure of Organization," *supra*, pp. 95-96.

TASKS, FUNCTIONS, AND ACTIVITIES <sup>9</sup>

The task of the Political Section was to prepare, under the direction of the Secretary-General, the political work of the Council, the Assembly, and of the committees of a political character. It was more specially entrusted with three types of questions: (a) those immediately affecting a dispute between States and those touching upon some special relation between a non-member State and the League; (b) questions affecting one of its member States; and (c) questions relative to the admission and withdrawal of member States. The major part of the work under the last-named point was transferred to the Central Section after 1933 (see *supra*). The Political Section was consulted in regard to all matters affecting the relations of the League with the Free City of Danzig (invitations to conferences, etc.). After the return of the Saar Basin to Germany the work which had been originally performed by the combined "Administrative Commissions and Minorities Section" under the first part of its title (Administrative Commissions) <sup>10</sup> was wholly transferred to the Political Section. In spite of the strategic position occupied by this Section within the Secretariat, it hardly ever played fully the rôle indicated in its functions. This was chiefly due to the fact that the Secretaries-General were personally responsible for these activities under the League constitution. The *de facto* character of the situation can perhaps best be illustrated — as long as the analogy is not carried to its logical conclusions — by reference to the relationship which existed in certain epochs in American history between the White House and the Department of State.

## INTERNAL ORGANIZATION AND STAFF

The distribution of duties, whether of a temporary or permanent character, among the members of the Political Section led to a certain geographical specialization in assigning the different tasks incumbent upon the Section. It would be false, however, to speak of "geographical desks" or "geographical subdivisions" analogous to those existing in the majority of foreign offices. The division of work with respect to geographical specialization was incidental to the task entrusted to the individual members rather than part of the basic organization of the Section. Moreover, this regional or national specialization differed essentially from that existing in the Information Section.<sup>11</sup> The majority of the members of the latter Section were assigned public relations work relating to their country of origin, whereas members of the Political Section, apart from certain liaison duties, were excluded by an unwritten rule from dealing with disputes or controversial questions in which their own country was involved. This resembled somewhat the arrangement in force in the Mandates and Minorities Section, where nationals of "interested" countries were excluded from membership.<sup>12</sup> When the

<sup>9</sup> See *International Research in Geneva* (based upon a report of Dr. Herbert Feis), Geneva Special Studies, Vol. III, No. 7, 1932 (Geneva: Geneva Research Center), pp. 6-7.

<sup>10</sup> See *infra*, pp. 109-11.

<sup>11</sup> See chapter on "Public Opinion and the International Center," *infra*, p. 208.

<sup>12</sup> See *infra*, pp. 111 and 117.

Manchurian conflict started the Japanese director of the Political Section, M. Sugimura, desisted of his own accord from any active participation in the important work carried on by that Section in connection with the dispute. During many years the French member of this Section acted as chief draftsman for most of the important reports and documents prepared by the Section.

#### STAFF

The staff of the Section consisted originally of the Director and one Member of Section (1919); a year later, it counted five Members of Section. In 1930, the Section comprised, besides its Director, seven members belonging to the First Division, eight if the Assistant of the Under Secretary-General is included. The Section was increased in 1938 in spite of an all-round policy of staff reduction initiated in that year. Not less than four former members of the Information Section were transferred to the Political Section. Its personnel on the administrative level consisted in 1938, apart from its head, of one Chief of Section, two Counsellors, seven Members of Section, and one specialist of equal rank. Altogether its staff was composed of fifteen officials in that year, belonging to thirteen nationalities.

All the permanent members of the Council were as a rule represented by a national in the Political Section, with the notable exception of Soviet Russia.<sup>12a</sup> The heads of the Section were invariably nationals of the permanent members of the Council; they were French, Japanese, and British, respectively. Indication of the special importance attributed to the Political Section by the administration is the fact that of the three persons charged with its direction between 1919-39, two held the rank of Under Secretary-General or Deputy Secretary-General. Its first Director was M. Paul J. Mantoux, a Frenchman, who had acted as a general interpreter to the Peace Conference at Paris.

### C. LEGAL SECTION

#### HISTORY

In the original organization chart of the Secretariat <sup>13</sup> two sections dealing with legal questions were listed: a Legal Section and a Registration of Treaties Section. In the October, 1919, Staff List, the first of its kind available, the legal services of the Secretariat already appeared as one consolidated service and as a full-fledged Section. It was, at the beginning, one of the largest single services. This Section is sometimes referred to, especially in documents pertaining to the League's finances, as "Legal Adviser's Branch." The Legal Section functioned essentially unchanged in its structure until 1940, when its activities were suspended. The Secretariat continued, however, to register treaties and to publish them.

<sup>12a</sup> Soviet Russia never indicated any desire, during the time of its League membership, to have more than one of its nationals (an Under Secretary-General) in the Secretariat.

<sup>13</sup> See chapter on "Principles and Structure of Organization," *supra*, pp. 83.

## TASKS, FUNCTIONS, AND ACTIVITIES

The Legal Section fulfilled a double function, a general and a specialized one: (1) Its general task consisted in supplying the Assembly, the Council, and the committees stemming from it as well as the Secretariat, with legal aid and advice. The Legal Section, moreover, assisted the Secretary-General in questions involving the relationship of the international administration to the Federal Swiss Cantonal or local authorities, especially in all questions involving the diplomatic immunities and privileges of the staff and the waiver of immunities. Its aid and advice were constantly sought by the Personnel Office.

(2) The special tasks entrusted to this Section had their origin in Article XVIII of the Covenant, which stated that —

Every treaty or international engagement entered into hereafter by any Member of the League shall be forthwith registered with the Secretariat and shall as soon as possible be published by it. No such treaty or international engagement shall be binding until so registered.

The Report of the First Committee of the Eighth (1927) Assembly gives the following description of the character and the growth of these latter activities:

This office has experienced a steady development of work since its institution in May 1920, not only on account of the constantly increasing number of treaties registered annually, but also on account of the other duties with which it is now charged in connexion with the Conventions and Protocols concluded under the auspices of the League — *i.e.* the preparation of the texts in their final form of these Conventions and Protocols, and all the relevant formalities and correspondence pertaining to the signatures, ratifications, adhesions and denunciations of such agreements.<sup>14</sup>

A total of 4,822 treaties and international compacts had been registered by the end of 1943.

## PUBLICATIONS

With only a few exceptions all of the texts of treaties registered have been published in the League of Nations *Treaty Series*,<sup>15</sup> which "has now become the standard collection in use throughout the world."<sup>16</sup> Up to September, 1943, 202 volumes of the series had appeared; three volumes have appeared since the outbreak of the present war.

## STAFF

The staff of the Legal Section consisted in 1940 of the Director and five members; in 1938, of the Legal Adviser, a Counselor, five Members of Section, and a specialist, apart from the junior staff. In 1932, the Director of the Legal Section,

<sup>14</sup> Quoted by Howard-Ellis, *op. cit.*, pp. 186-87.

<sup>15</sup> The treaties are published in the two official languages as well as in their original language if this is not French or English.

<sup>16</sup> Manley O. Hudson, "Registration of United States Treaties at Geneva," *American Journal of International Law*, Vol. 28 (1934), p. 343.

subsequently called Legal Adviser, was raised to the rank of Under Secretary-General. Two of the three chiefs of this Section were Latin Americans, as the following listing of its heads shows: J. A. Van Hamel (Netherlands), J. A. Buero (Uruguay), L. A. Podesta Costa (Argentina). A number of jurists of world-wide repute served at one time or other in the Legal Section, among them: Manley O. Hudson, G. Kaeckenbeeck, E. N. van Kleffens, and A. Hammarskjöld.

#### D. TREASURY

##### HISTORY

The Treasurer's Office, originally called Financial Section, came into existence simultaneously with the Secretariat. It was subsequently named Financial Administration in order to prevent confusion with the newly founded Economic and Financial Section. The Accounting Branch and the Internal Control Office, which operated separately for many years and had their own budget, were united with the Treasurer's Office during the thirties, while remaining independent of each other. The Treasury moved to London in 1940, where it has since remained.

##### TASKS, FUNCTIONS, AND ACTIVITIES

Generally speaking, the functions of the League Treasury consisted in (a) drawing up the budget for submission to the Secretary-General on the basis of the estimates prepared by the individual sections and services; (b) the authorization of payments; and (c) the disbursement of payments. The execution of the two last-named functions was described by the first Financial Director as follows:

The Accounting Department [later Accounting Branch] is responsible for the correctness of the accounts of the League. No payments of any kind may, however, be made without the approval of the Internal Control Office. An official, desiring to entail expenditure, must apply in writing in advance for permission to do so. If there is an available appropriation and if the proposed expenditure conforms to the prescribed rules, such permission is given by the Internal Control Officer, and a record of the commitment is kept. When the account is subsequently presented for payment it must be certified by the Internal Control Office that the agreed conditions have been fully complied with.<sup>17</sup>

The services charged with these activities were subject to little criticism in the course of years from within or without the League. Innumerable were the possibilities of minor conflicts in connection with accounts of official missions, subsistence allowances, entertainment funds, itineraries, advances on salary, etc.

While the regulations were scrupulously adhered to and the rules thoroughly enforced, goodwill and understanding on the part of the Treasury officials reduced complaints to a minimum. The machinery functioned with matchless efficiency.

<sup>17</sup> Quoted by Howard-Ellis, *op. cit.*, pp. 438-39.

## STAFF

The Treasury and the services which existed prior to the establishment of a unified treasury service employed a very small staff from the beginning. The "Financial Section" consisted in 1920 of its Director, one Member of Section, one Accountant, and one Assistant Secretary. In spite of the tremendous increase in responsibilities and activities, the personnel of the Treasury in 1938 comprised altogether eighteen persons, including the Treasurer, the Chief Accountant, and the Internal Control Officer. All in all, five of its officials belonged to the First Division.

The Treasurer occupied for many years "an intermediate position between Directors and Chiefs of Section," according to the words of the Report of the Committee of Thirteen. In keeping with the suggestions of that Committee, he was made independent of the Under Secretary-General in Charge of International Administration in 1930 and his post "assimilated" to that of Director as to rank and salary.

In the quarter of a century which has elapsed since its establishment, the Secretariat has had only two heads of its financial administration. Its first chief was Sir Herbert Ames (Canada), who served from 1919 until 1926; his successor, Mr. Seymour Jacklin (South Africa) has served in that capacity uninterruptedly since 1926. A similar stability characterized the Treasury staff as a whole. Four higher officials who served in the Treasury in 1938 had joined the service in 1921. This continuity of service contributed much to the exemplary manner in which the business of the Treasury was carried on.

## E. LIBRARY

## HISTORY

The Library of the League of Nations was established in 1920 as part of the Secretariat. It was seriously handicapped during sixteen years by reason of the inadequacy of its quarters, and at all times because of the insufficiency of funds at its disposal. The Library was first housed in London at 117 Piccadilly, from where it was transferred with the Secretariat to Geneva. Shortly after it was decided to erect new League buildings, in September, 1927, Mr. John D. Rockefeller offered a grant of two million dollars to the League with which to build and endow the Library.<sup>18</sup> In 1936, upon completion of the new *Palais des Nations*, the Library was transferred to its special wing of the League headquarters. It is estimated that the new building can house a million volumes.<sup>19</sup>

## TASKS, FUNCTIONS, AND ACTIVITIES

The League Library was originally conceived as a mere hand library for the Secretariat. It soon grew beyond its original purpose and, especially after its

<sup>18</sup> L.N., *The League of Nations Library* (Geneva: Information Section, 1938), p. 8.

<sup>19</sup> This section on the League Library is chiefly based on the Information Section pamphlet cited above, and on A. C. de Breycha-Vauthier, *Sources of Information; A Handbook on the Publications of the League of Nations* (London: George Allen and Unwin, Ltd.; New York: Columbia University Press, 1939), pp. 79 ff.

establishment in a separate building, became one of the world's most important centers of documentation and research. This development, which encountered strong opposition from some quarters, was made possible chiefly by the Rockefeller grant, which had been offered with the understanding that the Library should serve as an information center for the Secretariat and for students and scholars engaged in research work on questions relating to the work of the League.

The Library, as it existed in later years, was organized on the basis of proposals of a Library Planning Committee set up in 1923 by the League Council and composed of diplomats and statesmen familiar with the League's work, and of librarians and directors of similar institutions. According to Dr. A. de Breycha-Vauthier, it was the aim of the League Library "to obtain as complete a collection as possible of encyclopaedias, year-books, handbooks of all kinds, treaties, laws, statistics, official journals, parliamentary debates and other official publications from all countries in the world. It possesses the most complete collection of laws in Europe."<sup>20</sup> In 1936, Dr. Waples and Dr. Lasswell came to the conclusion that the libraries of the League of Nations and the ILO together were richer, at that time, in books essential to the study of international problems, than all the libraries in Paris combined, and that they offered resources equal to those of the libraries of Berlin or London.<sup>21</sup> The collection of the League Library was unique also in as far as it comprised literature on international affairs, peace problems, and the League of Nations on a world-wide basis.

In 1940, the Library possessed more than 300,000 volumes, which total was increased to 318,200 volumes by the end of 1942. The crisis of 1940 necessitated heavy economies in staff, accessions, and subscriptions. Nevertheless, an effort was made to keep the collection up to date. This was facilitated by the continued receipt of official publications from governments, both of member States of the League and of non-member States,<sup>22</sup> as well as by the continuation of Rockefeller grants.

The League Library served a double purpose: it supplied the Secretariat with reference material, particularly special studies, national laws, etc., and it provided facilities for outside readers. A considerable number of its users were delegates and experts brought to Geneva by member States or by the League. As official consultants were often in need of immediate information, the League Library, in contrast to most European libraries and more in line with American library techniques, served also as an *information center*. Many publications prepared by the different sections were based on bibliographical documents and statistics supplied by the Library.

A *League Museum* is attached to the Library. In it are preserved manuscripts, memoranda, notes and papers dealing with the origins of the League, letters and

<sup>20</sup> *Op. cit.*, p. 80.

<sup>21</sup> D. Waples and H. D. Lasswell, *National Libraries and Foreign Scholarship* (Chicago: University of Chicago Press, 1936), cited by A. C. de Breycha-Vauthier, *op. cit.*, p. 80 n.

<sup>22</sup> In cases where the transmission of publications to Geneva was impossible, publications destined for the League Library were deposited with institutions in different countries, especially in the United States, Canada, and Latin America.

mementos of statesmen and important personalities connected with the League, early publications containing schemes for a league of nations, maps, caricatures, etc.

The Library premises include, on the first floor, the general catalogue and the reference works most in demand; on the third floor, three special reading rooms (for political and legal questions; economic, financial, and transport questions; social and humanitarian questions). Offices for the Library officials are situated close to the reading rooms in order that assistance by the staff may be readily available to persons using the Library.

An idea of the size of the institution can be gained from the fact that the book stacks with their ten floors of shelving alone cover an area of approximately 55 by 125 feet.

#### PUBLICATIONS

The League Library also served as one of the important centers for the preparation of publications. Its major periodical publications were: a *Monthly List of Selected Articles* tabulating abstracts of articles on current political, legal, economic, financial, and social problems; a *Chronology of International Treaties and Legislative Measures*, published monthly; a multigraphed *Fortnightly Survey of Political Events*; a *Monthly List of Books* acquired and catalogued in the Library of the League of Nations; and a *List of Additions to the Government Document Collection* which was not available to the public. Some of the publications edited and published by the Library continued to appear after 1940, when the bulk of the regular League publications was discontinued.

#### STAFF

The staff of the League Library was small in comparison with other libraries of similar size and importance, especially in later years. If its efficiency was not impaired thereby, this was due to the devotion of the employees and also to the fact that, in common with all the other League services, the Library shared in the Internal Administrative Services. The latter supplied the Library with technical help (house staff, stenographers, typists, printing, etc.) which must be borne by other libraries out of their specific budgets.

The first staff list issued at Geneva (November, 1920) lists fifteen persons as members of the Library staff. Their number was eighteen in 1930 and twenty-five in 1938; in that year three of the officials belonged to the First Division. A special effort was exerted to make the staff polyglot as well as multinational in order that publications in a great number of languages could be handled. The members of the staff were drawn in 1938 from the following countries: Austria, Britain, Canada, Denmark, France, Germany, Latvia, Netherlands, Norway, Poland, Switzerland, United States, Yugoslavia — representing altogether thirteen nationalities.

The first director of the Library was an American, Miss Florence Wilson. When she was succeeded by a citizen of the Netherlands an American was ap-

pointed Deputy Librarian and continued to act in this capacity until 1939. The director of the Library held the service title of Chief of Section, a low rank considering the responsibilities of the position. A part of the salaries of the staff was defrayed from the Rockefeller grant; and for several years a special grant from the Rockefeller Foundation enabled the Library to engage an Assistant Librarian for the purpose of developing the medical and social sections of the League Library.<sup>23</sup>

## 2. SPECIALIZED SERVICES OF THE LEAGUE

### A. MINORITIES QUESTIONS SECTION

#### HISTORY

The Administrative Commissions and Minorities Questions Section was fully established in 1920, when the work of the Secretariat officially started. After the return of the Saar to the Reich and the gradual diminution of the work originally carried on under the heading "Administrative Commissions" the title of this service was changed to Minorities Questions Sections and all activities not pertaining to the protection of minorities were transferred to the Political Section. On the occasion of the reorganization of the Secretariat in 1939, the Minorities Questions Section was incorporated with the Disarmament, Mandates, and Intellectual Cooperation Sections in the newly created Department I.

#### TASKS, FUNCTIONS, AND ACTIVITIES

The Administrative Commissions and Minorities Questions Section was charged with two independent groups of questions: those relating to the protection of minorities<sup>24</sup> and those relating to Danzig, the Saar, and the exchange of populations. For the second group of questions a special bureau was constituted within the section which worked under the direct authority of the Secretary-General (Administrative Commissions Bureau).

A. The action of the League in regard to the protection of minorities was governed by:

- (1) Five special treaties, known as "Minorities Treaties," concluded between the Principal Allied and Associated Powers on the one hand and Greece, Poland, Rumania, Czechoslovakia, and Yugoslavia on the other;
- (2) Four special chapters embodied in the following treaties of peace: St. Germain (Austria), Neuilly (Bulgaria), Trianon (Hungary), and Lausanne (Turkey);
- (3) Five declarations made before the Council by Albania, Estonia, Finland, Latvia, and Lithuania;
- (4) Special chapters embodied in the German-Polish Convention relating to Upper Silesia and the Convention concerning the Memel Territory.

<sup>23</sup> *The Rockefeller Foundation; Annual Report, 1925* (New York: The Rockefeller Foundation), p. 306.

<sup>24</sup> A full picture of the duties and activities of the Section in regard to minorities is contained in Azcárate, *op. cit.* This monograph is one of a series in which the present study is appearing.

The Council subsequently established a procedure based mainly on petitions, providing, *inter alia*, for an examination of the "receivability" of petitions, for the communication of petitions to governments, for the examination of petitions and observations of the governments by the so-called Minorities Committees, etc. The Minorities Questions Section was responsible "for the regular and continuous working of this procedure instituted by the Council," as well as for maintaining "informal and friendly communications with the Governments signatories to Minorities Treaties."<sup>25</sup>

The Section organized and developed a special press service which summarized information that had appeared in the press of fifteen countries into which this activity of the League extended. In later years this service, which was of a confidential nature, covered also legislative and statistical information. According to Mr. H. B. Calderwood, the Section also kept itself informed through trips of members to the various countries concerned, and through visits from representatives of these governments and from petitioners and other persons interested in the minorities question. Interviews with nationals of the states in question who were members of the Secretariat frequently served as a further means of obtaining information.<sup>26</sup>

The responsibilities of the Section went beyond that of most others, inasmuch as it was entrusted with weeding out petitions and deciding in a preliminary manner on the receivability of petitions, subject to revision by the Minorities Committees and the Council. It was also responsible for the execution of the decisions of these committees and of the Council.

B. The Administrative Commissions Bureau was organized as a special service within the Section. It dealt with questions relating to the Saar Territory, the Free City of Danzig, the exchange of Greek and Turkish populations, and Upper Silesia. This service was placed under the direct control of the Secretary-General<sup>27</sup> and acted as secretariat to the Council, special committees, and other League organs for questions relating to the above-named subjects.

#### PUBLICATIONS

The activities of the Section in this respect were very restricted. Most of the relevant documents regarding the League's administration of the Saar Basin were published by the Governing Commission of the Saar; those relative to the Saar plebiscite, by the Plebiscite Commission. Some of these reports were reproduced in the *Official Journal*. The Minorities Questions Section was responsible for the publication of a collection of the provisions contained in the various *international instruments* regarding the protection of linguistic, racial, and religious minorities and of the procedure to be followed in questions concerning

<sup>25</sup> "Present Activities of the Secretariat and Special Organisations of the League," L.N. Document A.21.1932., in O.J., Special Supplement No. 107, p. 169.

<sup>26</sup> H. B. Calderwood, *The Protection of Minorities by the League of Nations*, Geneva Special Studies, Vol. II, No. 9, 1931 (Geneva: Geneva Research Information Committee), pp. 7-8.

<sup>27</sup> See chapter on "Internal Coordination of Work," *infra*, p. 145.

the protection of minorities (*resolutions* adopted by the Council and the Assembly). Annual statistics concerning the work of the League in connection with the protection of minorities and certain information concerning individual petitions were published in the Council minutes and the *Official Journal*.<sup>28</sup>

#### INTERNAL ORGANIZATION AND STAFF

The organization of the Section was determined by its preoccupation with two entirely separate groups of questions and the fact that one of its services was under the direct control of the Secretary-General. As a general rule, the two tasks were kept strictly separate within the Section: officials charged with minorities questions never dealt with questions pertaining to the Administrative Commissions Bureau or *vice versa*. In addition to the Director, who was Spanish, the Members of Section of the First Division serving in this Section in 1930 included the following nationalities: Colombian, Danish, Norwegian, Iranian, Dutch, Irish, Yugoslav. As in the case of the Mandates Section, nationals of interested powers, i.e., Germans and nationals of countries bound by minority treaties, were not entrusted with minority questions.

The Section began with a comparatively large staff; it had eight officials (including three Members of Section) in 1921. The corresponding figures for 1930 and 1938 were fourteen (seven Members of Section) and six (four Members of Section), respectively. It had two Norwegian and one Spanish director who discharged their responsibilities and tasks with exemplary tact and impartiality, under circumstances that were often extremely trying in view of the distrust which the protection of minorities by the League encountered on the part of governments and minority groups.

### B. FINANCIAL SECTION AND ECONOMIC INTELLIGENCE SERVICE

#### C. ECONOMIC RELATIONS SECTIONS<sup>29</sup>

#### HISTORY

The Economic and Financial Section appeared as a small unified service in the 1920 Staff List. By 1921 it had grown into one of the largest sections of the Secretariat, with a statistical branch located in London. Simultaneously with the departure of its Director, Sir Arthur Salter, in 1931, the Economic and Financial Section was divided into two sections, the Financial Section and Economic Intelligence Service, and the Economic Relations Section. The separation of the Economic and Financial Section into two services was partly dictated by per-

<sup>28</sup> Breycha-Vauthier, *op. cit.*, pp. 70-71.

<sup>29</sup> In spite of the existence, in 1938, of two separate units, the Financial Section and Economic Intelligence Service, and the Economic Relations Section, these services are treated in one sketch because, except for a period of eight years (1931-39), they formed one service. This text is, moreover, compressed to the minimum compatible with the aim of making the present study self-contained, as a monograph by Mr. Martin Hill entitled *The Economic and Financial Organization of the League of Nations; A Survey of Twenty-five Years' Experience*, will appear in this same series.

sonnel considerations and partly by technical reasons — particularly, the huge program undertaken by the Economic Committee under the stimulus of the World Economic Conference of 1927, and the volume of administrative work thrown upon the secretariat of that Committee by the Tariff Truce Conferences and the Commission of Enquiry into European Union. As the intergovernmental negotiations with respect to these subjects languished and the program of technical work (customs nomenclature, most-favored-nations clause, etc.) was gradually completed, justification for having two separate sections became increasingly doubtful, particularly in view of the fact that — apart from administrative disadvantages (separation of the economists from the administrative and technical experts) and jurisdictional uncertainties — the policies of the two sections were by no means in full harmony.

The Supervisory Commission has given one reason for the combination of the Financial Section with the Economic Intelligence Service in 1931: "The bulk of the present financial work (purchasing power of gold and double taxation) . . . being largely of a scientific economic character, closely allied to the subjects considered by the Economic Intelligence Service, these two branches of the work could conveniently be grouped in the same Section."<sup>20</sup> Another reason was that the post-war financial reconstruction work had been largely completed. It could not be foreseen that with the deepening of the economic depression most of the countries helped by the League in the twenties would again apply for assistance in the thirties.

On the occasion of the general reorganization of 1939, the Economic Relations and the Financial Sections were reunited in a common newly established group, Department II (Economic, Financial, and Transit Department). In 1940, the major part of the surviving services of this Department dealing with economic and financial questions was transferred to Princeton, N. J., for the duration of the war, where offices were put at their disposal at the Institute for Advanced Study. The Mission to Princeton, as it is officially designated, has been engaged chiefly in research and liaison activities and in carrying out work for a number of League committees which have continued to be active.

#### TASKS, FUNCTIONS, AND ACTIVITIES

The work of the League in this field is primarily based upon the principle of cooperation between nations enunciated in the Preamble to the Covenant. Its economic work, especially in the field of commercial policy, has its constitutional basis in Article XXIII (e), which states that members of the League will "make provision to secure and maintain . . . equitable treatment for the commerce of all Members of the League."

The Economic and Financial Organization, through which the activities in this field have been carried out, took shape following the International Financial Conference convened by the League at Brussels in 1920. A "Provisional Eco-

<sup>20</sup> Supervisory Commission, *Report of the Commission on the Work of its Thirty-Eighth Session (Held on September 15th and 16th, 1930)*, L.N. Document A.5(a).1930.X., p. 2.

nomic and Financial Committee," with separate "sections" dealing with economic and financial questions, was created by the first Assembly following a recommendation of that conference. The Committee ceased to be merely provisional in 1923 and its two "sections" became known as the Economic and the Financial Committees respectively. Two additional standing committees, the Fiscal Committee and the Committee of Statistical Experts, and a large number of *ad hoc* bodies grew out of the Economic and Financial Committees.

The work of the Financial Committee has included, *inter alia*, financial reconstruction of Austria, Hungary, Greece, and Bulgaria; refugee settlement schemes, especially in Greece and Bulgaria; advice and assistance to a number of individual governments on financial problems; the preparation of a plan for the creation of an International Agricultural Mortgage Credit Institute; the preparation of a convention providing for assistance to states victims of aggression; the prevention of counterfeiting currency; an inquiry into the fluctuations in the purchasing power of gold; and, in the thirties, problems arising out of the monetary imbroglio in Europe.

The Fiscal Committee has been concerned with the removal of tax barriers to international trade and investment, in particular, double taxation; it has assisted governments in adapting tax systems and practices to economic policy, etc. The Committee of Statistical Experts, set up in 1928 under the International Convention relating to Economic Statistics, has been concerned with filling in the framework established by that convention. It completed, in 1934, a new international classification for trade statistics and has made detailed recommendations regarding various classes of statistics (balances of payments, gainfully occupied populations, housing, etc.).

The secretariat for these committees and international conferences called in connection with their work was provided by the Economic and Financial Section and later divided between the two branches. The Financial Section served the Financial Committees, the Fiscal Committee, and special *ad hoc* committees such as the Committee on International Loan Contracts, etc. It assured liaison with commissioners and advisors in countries where financial reconstruction was effected, and undertook frequent missions and inquiries in preparation for the work of the Financial Committee. It also kept in contact with the trustees for the loans for reconstruction and refugee settlement raised under League auspices and took care of all problems in connection with these loans.

The Economic Intelligence Service, while attached to the Financial Section, assisted and continues to assist all the activities of the Economic and Financial Organization as a research body. The chief purpose of the Economic Intelligence Service has been "to present a coherent world picture of economic and financial fact. Its work interlocks with parts of the other work of the League and, in many respects, forms an essential basis for it."<sup>21</sup> Though essentially a research body, it fulfilled certain secretariat functions, especially in connection with the work of the

<sup>21</sup> "Present Activities of the Secretariat and Special Organisations of the League," *op. cit.*, p. 173.

Committee on Allocation of Expenses dealing with assessment of the financial contributions of the member States. It also acted as the secretariat for the Committee of Statistical Experts, the Mixed Nutrition Committee, the Delegation on Economic Depressions, the Demographic Committee. Its chief task was to prepare various regular publications on financial and economic subjects, and to supply such expert advice on banking, public finance, trade, etc., as well as on general economic trends and policies, as might be required by international economic and financial conferences and the financial and economic committees. Like the officials of the Financial Section proper, those of the Economic Intelligence Service were often charged with missions abroad in the course of the preparation of the work of the Financial Committee or with other duties in response to requests of individual governments.

The Economic Relations Section acted as the secretariat for the Economic Committees, the numerous subcommittees, and all the major international conferences on economic questions. The duty of this Section was, according to an official description, "to prepare, from the documentary point of view, the meetings of the various committees . . . and to give effect to their decisions. Under the direction of the Economic Committee or of preparatory committees created *ad hoc*, and, if necessary, with the help of the Economic Intelligence Section [*Service*], it undertakes the preliminary work for international economic conferences."<sup>32</sup> The Section also ensured liaison with important international bodies, meetings, or congresses in the economic field.

#### PUBLICATIONS

The Economic Intelligence Service has been responsible for the major part of the League's technical publications, apart from the purely documentary publications and records of League Committees and Conferences. The Brussels Conference of 1920 was instrumental in emphasizing the importance of giving the greatest possible publicity to the situation of public finances and currencies and recommended that the League publish periodical statements on these subjects. The Financial Section proper contributed relatively little to these studies, apart from its reports and surveys on the financial reconstruction of Austria, Hungary, Greece, and Bulgaria, and its collection of legislation on gold and of monetary and central banking legislation, etc.

The most important periodical publications prepared by the Economic Intelligence Service were: the *Monthly Bulletin of Statistics*, the international *Statistical Year-Book*, the memoranda on *Public Finance*, on *Money and Banking* and on *Balances of Payments*, the *Review of World Trade*, the *International Trade Statistics* concerning foodstuffs and raw materials, etc. Beginning with 1932, this Service issued annually the *World Economic Survey*, a description and analysis of world economic developments and, further, a brief summary of these developments for the guidance of the Assembly.

<sup>32</sup> "Present Activities of the Secretariat and Special Organisations of the League," *op. cit.*, p. 175.

The publications of the Economic Relations Section consisted very largely of reports of the Economic Committee and special *ad hoc* committees which worked in conjunction with it, and preparatory documents and reports of proceedings of international conferences, etc.

#### STAFF

The staff of the Economic and Financial Section consisted of 17 officials in 1921 (3 Members of Section) including the staff of the London office; in 1930, the last year prior to its separation into two administrative units, it had 53 staff members (19 Members of Section). After the separation, in 1931, the Financial Section and Economic Intelligence Service had 44 officials (17 Members of Section); in 1933, 52 (including 18 Members of Section); and in 1938, 54 (20 Members of Section). The staff of the Economic Relations Section consisted of 16 officials (including 6 Members of Section and Experts). The corresponding figures for 1933 and 1938 were: 24 (8); 9 (4).

The Financial Section and Economic Intelligence Service was the largest single unit of the Secretariat, apart from certain technical services belonging to the Internal Administrative Services. The distinction between the two elements within this unit tended to become increasingly blurred in the course of the thirties. Individual members of the Intelligence Service often were entrusted with work for the Financial Section, while members of the latter on occasion assisted in the research work of the Economic Intelligence Service.

Only a small fraction of the staff (about 15 per cent) belonged to the Financial Section, all the others being members of the Economic Intelligence Service. In the early thirties about twenty to twenty-five nationalities were represented on the staff, which was thus in a position to read and collect financial and economic information in practically all civilized languages.

At present (1944) most of the staff, independently of their former service association with one or the other branch of what is now Department II, are engaged either in the analysis of current economic developments or in post-war studies.

The first Director of the original section was Sir Walter Layton, who was followed for a short time by Sir Frank Nixon and later by Sir Arthur Salter, who directed the Communications and Transit Section at the same time. The Economic Intelligence Service and the Economic Relations Section were each headed by a Chief of Section. After the resignation of Sir Arthur Salter (1931), the two chiefs of section, Mr. A. Loveday (Great Britain) and Mr. P. Stoppani (Italy), were promoted to the rank of director of the two newly established sections. In 1939, Mr. Loveday became head of Department II, which merged the Financial, Economic, and Transit Sections and the Economic Intelligence Service. The situation became similar to what it had been in the early twenties when Sir Arthur Salter headed the Economic, Financial, and Transit Sections.

## D. MANDATES SECTION

## HISTORY

This Section, one of the original services of the Secretariat, was organized even before the Covenant went into effect. It appeared in the first official documents as "Mandatory Section," the name being changed to "Mandates Section" in 1922, when the question of slavery was added to its duties. In the course of the reorganization of the Secretariat in 1939, the Mandates Section was incorporated in the newly created Department I. Since 1940, the Secretariat has continued to collect up-to-date documentary material concerning the territories under mandate.

## TASKS, FUNCTIONS, AND ACTIVITIES

A. The mandatory system was established under Article XXII of the Covenant and provided for the administration of fourteen territories by mandatory powers, under the supervision of the League. The Covenant provided for the constitution of a body of experts — the Permanent Mandates Commission — entrusted with the duty of examining the annual reports submitted by the mandatory powers and of hearing the representatives of those powers. Furthermore, the Commission submitted reports to the Council on the results of its examination and investigated all general problems relating to the subject, including such questions as termination of mandates. The duties of the Section were officially described as follows:

- (a) To prepare the work of the Council and of the Assembly on this question,
- (b) To correspond with the Governments of the Mandatory Powers;
- (c) To serve as a permanent secretariat for the Mandates Commission, which meets twice a year;
- (d) To collect and classify . . . data in public and private documents on the mandated areas, policy of the Mandatory Powers with regard to these areas, and general questions of colonial administration.<sup>33</sup>

Every month the Mandates Section communicated to the members of the Commission documentary material on important events occurring in the various territories. In addition to handling correspondence with governments the Section dealt with correspondence respecting petitions sent in by petitioners from the mandated territories or by outside bodies, in either case through the mandatory power. It examined petitions on the point of their "receivability" and submitted the results of its examination to the Chairman of the Commission. The Section's activities regarding petitions had a certain resemblance to those of the Minorities Section with respect to the minorities groups. However, there was less personal contact with the petitioners, as the Permanent Mandates Commission considered only written petitions and did not receive petitioners in person. Visits by members of the Section to territories were very rare.<sup>34</sup>

<sup>33</sup> *Budget for the Eighth Financial Period (1926), and General Report on Financial Questions, Adopted by the Sixth Assembly on September 26th, 1925*, L.N. Document C.619.M.201.1925. X., p. 25.

<sup>34</sup> Dr. William Rappard, while Director of the Mandates Section, visited Palestine.

In Dr. Quincy Wright's opinion the importance of the indirect influence exercised by the Secretariat should not be underestimated; the Section was "in a position to influence the Commission by supplying information though it attempts to observe the utmost impartiality in this work. Its international character and natural interest in maintaining the prestige of the League give ample assurance that its influence will be in the direction of supporting the system."<sup>38</sup>

B. The second group of questions dealt with by the Section concerned slavery. They were first submitted to the League Assembly in 1922. In this connection, the Section carried out the secretarial duties arising out of international obligations relating to slavery (convention of September 26, 1926). These activities included, *inter alia*, the assembling of information furnished by the signatories and the submission of annual reports to the Assembly. The Section also assisted the Secretariat of the Advisory Committee of Experts on Slavery which held altogether five sessions.

#### PUBLICATIONS

The publications of the Mandates Section consisted, apart from certain statistical documents (*Statistical Information concerning Territories under Mandates*; and *Liquor Traffic in Territories under B and C Mandates*), chiefly in the issuance of the *Minutes of the Permanent Mandates Commission* (37 volumes), comprising the Commission's Reports to the Council and comments of the mandatories.

#### STAFF

The staff of the Mandates Section consisted of 5 officials (including 2 Members of Section) in 1921; of 9 officials (3 Members of Section) in 1930; of 11 officials (4 Members of Section) in 1933; of 9 officials (3 Members of Section) in 1938. Its first provisional director was a citizen of the United States, Mr. Beer, who never entered upon his functions because of the non-participation of the United States in the League. He was succeeded by M. Rappard (Switzerland), who upon retirement from the Secretariat became a member of the Mandates Commission, M. Catastini (Italy), and M. de Haller (Switzerland). As a general rule only citizens of countries who did not hold mandates were employed in the Mandates Section in order to safeguard the full impartiality of the staff.

### E. COMMUNICATIONS AND TRANSIT SECTION

#### HISTORY

The Transit Section, as this service was first called, was one of the original units of the Secretariat. Starting as a mere skeleton service, it developed rapidly after the creation of the Communications and Transit Organization of the League. In 1939, the Communications and Transit Section was combined with

<sup>38</sup> Quincy Wright, *Mandates Under the League of Nations* (Chicago: University of Chicago Press, 1930), p. 91.

the Economic and Financial Services into one group, called, since 1941, Economic, Financial, and Transit Department.

#### TASKS, FUNCTIONS, AND ACTIVITIES

The League's activities in this field were based on Article XXIII (e) of the Covenant, which states that the members "will make provision to secure and maintain freedom of communications and of transit." The Communications and Transit Organization of the League was created in order to implement these provisions. It was to a large extent an autonomous body, consisting of general conferences, an Advisory and Technical Committee for Communications and Transit, permanent and temporary committees, and a permanent secretariat — the Communications and Transit Section. The Section acted as the secretariat for the conferences, for the Advisory and Technical Committee, and for the numerous permanent and temporary committees. It was responsible "for the collection and preparation of information bearing on the various subjects and for the action to be taken upon the resolutions adopted."<sup>36</sup> Moreover, the League was entrusted with a number of tasks dealing with communications and transit by the peace treaties concluded after the first World War, and the Communications and Transit Section discharged the secretarial duties connected with these tasks.

Administratively, the Transit and Communications Section, like all other sections, was subject to the authority of the Secretary-General. But it differed from practically all the other services of the Secretariat in that it received its instructions on technical matters directly from the Communications and Transit Organization, the only technical organization of the League with a written constitution and semiautonomous status.<sup>37</sup> The section served "as a link between the Transit Organisation and other parts of the League's machinery, when preparing the work of the Conferences or carrying out their decisions." The fact that States which do not belong to the League may belong to the Communications and Transit Organization involved the Section in frequent correspondence and dealings with non-member States participating in the work of the Organization. In later years the Communications and Transit Section was also charged with the supervision of technical arrangements regarding broadcasting<sup>38</sup> and the installation of loud-speakers at League meetings, in collaboration with the Information Section and the Internal Services.

The wide range of its activities is illustrated by the following incomplete list of subjects dealt with by the Communications and Transit Section: compilation of rules of public international law; preparation of the codification of such rules on specially selected topics; application of the general conventions; unification of transport statistics; assistance to the Committee in disputes brought before it for enquiry and conciliation; public works programs to combat the economic crisis;

<sup>36</sup> "Present Activities of the Secretariat and Special Organisations of the League," *op. cit.*, p. 180.

<sup>37</sup> L.N., *Ten Years of World Co-operation* (Secretariat of the League of Nations, 1930), pp. 207-31, at p. 212.

<sup>38</sup> See chapter on "External Relations," *infra*, pp. 195-98.

cooperation with the National Government of China; maritime questions (buoyage and lighting of coasts, maritime tonnage measurements, right to fly a merchant flag, obstacles to maritime navigation); road traffic (codification of road law, unification of road signals and the signals at level crossings); inland navigation (unification for Europe of measurements of vessels, of registration of vessels, and of private law of inland navigation; use of the flag in inland navigation; unification of police regulations on rivers and canals; unification of social security provisions applicable to inland navigation, the latter in cooperation with the ILO).

#### PUBLICATIONS

This Section was responsible for the publication of the records of the sessions of the Committee for Communications and Transit and of documentary material, records, verbatim reports, and texts of recommendations of a great number of international conferences in the fields covered by the Organization of Communications and Transit, chief among them the Barcelona Conference (1921), the Second, Third, and Fourth General Conferences on Communications (held in 1923, 1927, and 1931, respectively), and the conferences dealing with the following subjects: Measurements of Vessels Employed in Inland Navigation (Paris, 1925), Passports (1920 and 1926), Cards for Emigrants in Transit (1929), Transport of Newspapers (1929), Buoyage and Lighting (Lisbon, 1930), River Law (1930), Road Traffic (1931), etc.

In the field of air navigation, the Section issued reports on the sessions of the Air Transport Cooperation Committee and on enquiries into the *Economic, Administrative and Legal Situations of International Air Navigation*; and studies on the *Economics of Air Transport in Europe* and on *Publicity of Civil Aviation*. The Section also edited and published a great number of comparative studies, memoranda, and reports on merchant shipping, pollution of the sea by oil, public works, railway transport, statistics, wireless and technical cooperation with China, covering, *inter alia*, road construction, health work, and economic development. In 1929, a special *Index to the Documents* published by the Organization for Communications and Transit was published covering the years 1921-27.<sup>29</sup>

#### STAFF

This Section reflects in its evolution the growth of the activities of the Communications and Transit Organization at first, and the subsequent stabilization of its activities. In 1921, the section was composed of 5 persons (including 3 Members of Section); in 1925, the staff comprised 6 persons (3 Members of Section); in 1930, 11 persons (5 belonging to the First Division); in 1933, 15 (including 6 Members of Section); in 1938, 12 officials (6 Members of Section).

The Section was fortunate in its directors. It was first headed by Professor Attolico, then by Sir Arthur Salter, who was simultaneously in charge of the

<sup>29</sup> See Breycha-Vauthier, *op. cit.*, pp. 34-41.

Economic and Financial Section. Later, a member from the first hour, M. R. Haas, a Frenchman, was made Director. His premature death in 1935 robbed the Secretariat of one of its outstanding personalities.

## F. HEALTH SECTION

### HISTORY

The health work of the League grew out of the urgent need to cope with the early post-war epidemics in Eastern Europe. The work of the Epidemic Commission of the League, a striking example of practical international collaboration, was soon supported by a technical section within the Secretariat. From modest beginnings the Health Section developed rapidly to become one of the most important branches of the League's non-political activities. In any survey of the achievements of the League the work in the field of international public health must rank among the chief justifications of the League's existence and as one of its glories. By 1921 the Health Section was established as a full-fledged service which expanded constantly during the ten years that followed. In the course of the reorganization effected in 1939, this Section was integrated into the newly established Department III (Health and Social Questions, Suppression of the Opium Traffic). Some of its work survived the curtailment of the League's technical activities effected in 1940.

### TASKS, FUNCTIONS, AND ACTIVITIES

The work of the League in this field has as its constitutional basis, Article XXIII of the Covenant, which provides that the member States "will endeavour to take steps in matters of international concern for the prevention and control of disease." A temporary organization was set up in 1919, in order to take care of the emergencies that had arisen in the wake of World War I. The 1920 Assembly had drawn up a plan for an international health organization. This plan involving the combined action of the proposed new organization with the existing International Office of Public Health in Paris could not be carried out. Certain signatories (among them the United States) of the Rome Convention of 1907, by which the International Office of Public Health had been created, refused to give their assent to this merger. A *provisional* health organization was set up by the League, however, in 1921. The 1922 Assembly recommended the creation of a *permanent* health organization whose duties would comprise, among other things, advising the League in matters affecting health, bringing the different national health administrations into closer relationship with each other, organizing more rapid means of interchange of information relative to epidemics, and simplifying methods of concerted international action. The Permanent Health Organization, the machinery for the carrying out of these duties, consisted of an advisory Health Council (the Permanent Committee of the Paris International Health Office), a standing Health Committee, and the Health Section of the Secretariat. The

Health Section was the technical secretariat of the Health Committee and its subcommittees, and of the technical conferences and groups of experts preparing the work for these bodies and ensuring its continuity in the intervals between sessions. This work was of an essentially technical character. It required the employment of specialists possessing, in addition to general knowledge of up-to-date methods of public health administration and their trends in many countries, specialized knowledge in such subjects as bacteriology and serology, pharmacology, epidemiology, malaria, venereal disease, tuberculosis, as well as rural hygiene, infant and maternal welfare, and experience in the reorganization of public health services.

Early in the twenties a Service of Epidemiological Intelligence was created, for the development of which funds provided by the Rockefeller Foundation were placed at the disposal of the Health Committee. The task of this service was to collect information from national health administrations, to collate and transmit this information by means of wireless, cables, telegrams, and daily reports in case of emergency, and regular weekly, monthly, and annual reports, both from Geneva and through the organization's Eastern Bureau at Singapore.<sup>39a</sup> This service effected by the Health Section required special knowledge of epidemiology and medical geography and of developments in matters of public health in many countries, in addition to intimate knowledge of vital statistics in the various countries and of methods employed in the collection of epidemiological data and the operation of services charged with the control of epidemics throughout the world. The Health Bureau in Singapore, supported by a number of Far Eastern governments in addition to the League contribution, and for a time by Rockefeller grants, formed part of the Epidemiological Health Service. It acted as a center of information on the movement of epidemics and played an important rôle in the fight against epidemics by distributing epidemiological data to Far Eastern countries.

The Health Section was also entrusted with the organization of collective study tours of public health personnel of various countries. These tours, made possible by grants from the Rockefeller Foundation, enabled technical officers of many countries to study health problems and methods in use in other countries. The personnel of the Health Section was instrumental in the planning, and practical organization of the tours, and in the preparation of monographs and handbooks. Members of the Section accompanied the missions of international health experts sent by the Health Committee at the request of governments (Greece, China, Bolivia) in connection with the reorganization of national health services, and were, moreover, individually entrusted with technical missions in connection with requests from governments and health administrations for cooperation and advice (sanitary reorganization, malaria, leprosy, etc.).

In the first decade, the Section was chiefly concerned with the danger of

<sup>39a</sup> The official designation of this Bureau was Eastern Bureau of the Health Organization of the League of Nations. It was also called in official League publications Eastern Epidemiological Intelligence Center or Bureau.

epidemics in Eastern Europe, the dangers to health in Asia, and public health problems in Africa. Beginning with 1930, questions of rural hygiene in Europe and problems of nutrition and housing took precedence.

#### PUBLICATIONS

The Section prepared and edited numerous publications on epidemiological intelligence and on progress of medical and health work in the principal countries, as well as reports and abstracts concerning the work of the Health Committee, its subcommittees and conferences. Its chief publications were the following: *Bulletin of the Health Organisation* (issued quarterly from 1932, and every two months as from 1937) constituting, apart from the Report to the Council on the work of the Health Committee, the chief source of information on the activities of the Health Organization and on important up-to-date technical health problems in many countries; *Weekly Epidemiological Record* (since 1925) containing current data on movements of epidemic diseases for the benefit of health and quarantine services; *Epidemiological Report* (since 1921), monthly, comprising in addition to statistics relating to diseases and demography, valuable studies on the world distribution and movements of certain diseases; *Annual Epidemiological Report* (since 1923); *International Health Year-Book* (1925-32); *Statistical Handbooks* (describing the organization of vital statistics in various countries); apart from these periodical publications, numerous reports and inquiries on epidemic diseases, malaria, tuberculosis, rabies, leprosy, sleeping sickness, cancer, organization of public health services, rural hygiene, school hygiene, nutrition, housing, and on the standardization of certain sera and biological products, etc.

Since 1940, a number of the periodical publications of the Health Section have been issued more or less regularly (*Epidemiological Report* and *Weekly Epidemiological Record*; *Bulletin* and *Chronicle of the Health Organisation*, etc.).

#### STAFF

The Health Section grew from a small service to one of the largest single services of the Secretariat. In 1922 its staff consisted of 7 persons (including 3 Members of Section); in 1930, of 43 (14 Members of Section); in 1933, of 48 (19 Members of Section); in 1938, of 28 (10 Members of Section, including a specialist). A considerable proportion of the staff expenditure was covered, from 1922 to 1937 by Rockefeller contributions.<sup>40</sup> While a number of Members of Section in charge of the general secretariat work and of the epidemiological services remained with the section over many years, others, mostly specialists with outstanding qualifications, were appointed for a shorter period according to the needs of the work program of the Health Organization. Such was the case with specialists in malaria problems, nutrition, rural hygiene, etc.

For a period of eighteen years — from its formation until January 21, 1939 — the Health Section was directed by Dr. L. W. Rajchman. The extent to which the

<sup>40</sup> The salaries of nine officials, remunerated on the scale of Member of Section, for example, were charged, in 1937, to the Rockefeller Grant.

health work of the League was indebted to his initiative and leadership has found international recognition. Since the reorganization of 1939, the health work of the League has been carried on under the supervision of an Acting Director.

#### G. OPIUM TRAFFIC SECTION AND SECRETARIAT OF THE PERMANENT CENTRAL OPIUM BOARD

##### HISTORY

Up to 1930, the history of the Opium Section was identical with that of the Social Questions Section. The reader is referred to the introductory paragraph on that Section (see *infra*, pp. 125-26) for data on the early history of the League's service in the field of dangerous drugs. In 1939, in the course of the general reorganization, the former Opium Section's title was changed to Drug Control Service. The Drug Control Service acts as the secretariat of the Opium Advisory Committee and of the Supervisory Body.

A second service, the Secretariat of the Permanent Central Opium Board, was established in 1929, after the coming into force of the Geneva Convention of 1925 on Opium Smoking. This Secretariat operates separately from the Drug Control Service but is linked with the League in consequence of certain powers of an administrative nature vested in the Council and the Secretary-General of the League. Its budget forms part of the League budget.

The secretariats of the Opium Advisory Committee, the Permanent Central Opium Board, and the Supervisory Body have never ceased to function since their inception. They continue to fulfill their tasks amidst the difficulties of the second world war. The headquarters of the three secretariats remain in Geneva, and branch offices of the Permanent Central Opium Board and the Supervisory Body have been established since February, 1941, in Washington, D. C.

##### TASKS, FUNCTIONS, AND ACTIVITIES

The functions and competences of the services of the League in the field of dangerous drugs are based (a) on the Covenant of the League, Article XXIII (c), and (b) on six international compacts:

- Hague Convention of 1912
- Geneva Convention of 1925
- Geneva Agreement of 1925 (opium smoking)
- Limitation Convention of 1931
- Bangkok Agreement of 1931 (opium smoking)
- Convention for the Suppression of the Illicit Traffic of 1936

Originally the Opium Section was the secretariat of the Opium Advisory Committee, created in December, 1920. This committee is the policy-framing body of the League in this field. At that time the main function of the Opium Section was to prepare documentation for the meetings of the Opium Advisory Committee and to act as intermediary for the distribution to one another by the

parties to the Hague Convention of 1912, of their laws and regulations and of some statistical information concerning the trade in the drugs covered by that convention. As the arrangements established by the Hague Convention proved more and more inadequate to cope with the problems, the Opium Section was given the additional duties of collecting and interpreting, under the guidance of the Opium Advisory Committee, official information and statistics, establishing the legitimate needs of all countries, and preparing for two international conferences which were held in Geneva before the end of 1924 — one to deal with the trade in drugs and the other with the opium-smoking problem in the Far East. The Opium Section was also charged with studying and analyzing the annual reports submitted by governments and with preparing summaries for the Opium Advisory Committee. Gradually it started to prepare special reports on the seizures of drugs in the illicit traffic and also on the problem of drug addiction. The Drug Control Service deals now, as provided by the stipulations of the 1931 convention, with annual reports, laws, and regulations communicated by parties (64) to this convention, and with special seizure reports; it also issues, from time to time, a "factory list" based on official communications from governments, showing the location and scope of licensed manufacture of the factories of all drug manufacturing countries.

The Supervisory Body was created under the 1931 convention. It is responsible for determining each year, in advance, the quantity of drugs required for medical use. The head of the Drug Control Service acts as its secretary. His duty is to record the estimates of drug requirements furnished by governments and to submit to the Supervisory Body information which serves as a basis for the computation by the latter of estimates for countries which have not furnished these estimates. On behalf of the Supervisory Body the secretariat conducts correspondence with governments and prepares drafts for the examination by the Supervisory Body of the yearly "Statement on Estimated World Requirements of Dangerous Drugs" and the supplements to this statement which are communicated by the Secretary-General of the League to all governments.

As stated above, a special international organ, the Permanent Central Opium Board, operates separately from the Drug Control Service through its own secretariat. Its special character is defined as follows in Article XX of the Geneva Convention of 1925:

The Council of the League of Nations shall, in consultation with the Board, make the necessary arrangements for the organisation and working of the Board, with the object of assuring the full technical independence of the Board in carrying out its duties under the present Convention, while providing for the control of the staff in administrative matters by the Secretary-General.

The Secretary-General shall appoint the secretary and staff of the Board on the nomination of the Board and subject to the approval of the Council.<sup>41</sup>

The Secretariat of the Permanent Central Opium Board records all the statistical information furnished under the convention by governments and prepares for

<sup>41</sup> L.N., *Treaty Series*, Vol. 81, pp. 317-58, at p. 339; Hudson, *International Legislation*, Vol. III, pp. 1589-1613.

consideration by the Board a special yearly report communicated to all governments, showing how the parties have fulfilled their obligations.

The research and studies undertaken by the Drug Control Service have occasionally influenced the policy and decisions of the Opium Advisory Committee and of international conferences. This was, for instance, the case in 1931, when an analysis of the international trade in drugs prepared by the Section for the first time uncovered in an authoritative manner the extent of the illicit trade in narcotics and gave an estimate of the medical needs for drugs, thus enabling the conference to make important decisions concerning the limitation of the manufacture of drugs.

#### PUBLICATIONS

Apart from the reports submitted to the Council and the Assembly, the Drug Control Service prepares the following periodical publications and documents for the Opium Advisory Committee: (1) *Summary of Annual Reports*, including synoptic statistical tables and a general review of the application of the conventions; (2) *Quarterly Summaries of Seizure Reports*; (3) Factory list (issued from time to time); (4) *Minutes of the Proceedings of the Opium Advisory Committee*. In addition to assisting the *rapporteur* of the Committee in drafting his report on the work of each session of the Committee to the Council of the League, the secretariat prepares and communicates to governments studies on drug addiction and on the production of raw materials, and prepares draft conventions, the most recent being the draft of a convention for the limitation of the production of raw materials (opium). Other periodical publications prepared by their respective secretariats are the reports of the Permanent Central Opium Board and the statements of the Supervisory Body.

#### STAFF

The staff of the Section consisted in 1931 (the year of its separation from the Social Questions Section), apart from its Director who was also the head of the Social Questions Section, of four Members of Section and one official of equivalent rank, and in 1938, of six Members of Section and a specialist. In 1944, the personnel includes one Chief of Section and two Members of Section. The staff of the Central Opium Board consisted in 1929, the year of its establishment, of the Secretary of the Board and one statistician; in 1944, of the Secretary of the Board, with the rank of Chief of Section, and two statisticians. Both secretariats have in addition junior staffs permanently attached to them.

## II. SOCIAL QUESTIONS SECTION

#### HISTORY

The constitutional basis of the Social Questions Section is found in paragraph (c) of Article XXIII of the Covenant, which entrusts the League "with the general supervision over the execution of agreements with regard to the traffic in

women and children, and the traffic in opium and other dangerous drugs." The Section dealt originally with traffic in women and children, anti-drug work, and such health questions as were discussed by the Assembly and Council. This multitude of tasks was reflected in the titles borne by this service during the first years. It was called Social Questions in 1919, with the word "Health" placed in brackets following the name of its chief and only member, Dame Rachel Crowdy. In the early staff lists it was alternately called, in 1920, Health Section or Social Questions, including Health; in 1921, Health Section or Social and Health Sections. During 1922, a Health Section was established as a separate service and appeared in the staff list as Social Section and Opium Traffic Questions. When Dame Rachel Crowdy left, in 1930, a movement set in to separate the protection of women and children and the anti-drug services, Count Carton de Wiart (Belgium) calling such joint classification "paradoxical — even derogatory."<sup>42</sup> The two services were separated into two separate sections in 1930, but both were placed under the direction of a newly appointed chief, a Swedish diplomatist. In the late thirties, plans were afloat to combine the two sections again in view of the importance of the socio-medical aspect of many of the questions treated by the Social Questions Section. Some apprehension was felt, however, lest this should result in a domination of the social welfare aspect by medical points of view. This no longer corresponded to the development which professional social welfare work had reached. The question was still undecided when, in the course of the internal reorganization of 1939, the Social Questions Section was incorporated in the newly established Department II. After seventeen years it found itself again reunited with the Health and Anti-Drug Services of the League.

#### TASKS, FUNCTIONS, AND ACTIVITIES

The Social Questions Section properly speaking dealt with questions of social welfare as distinct from labor questions, which fell into the domain of the ILO. The delimitation of work was comparatively easy in the beginning when the work of the Section in the social field was practically restricted to questions of traffic in women and children. It became more difficult in later years when the Social Questions Section branched out into the field of the protection of women and children in general. Close liaison was established with the ILO in order to prevent any serious clash of competencies.<sup>43</sup> In this respect the relationship between the two services was more satisfactory than could have been expected in view of the danger of mutual encroachment that existed, especially in later years.

The Social Questions Section served as the permanent secretariat of the Advisory Committee on Traffic in Women and Children. In 1924, the Child Welfare Committee was added. Both committees were known as the Advisory Commission for the Protection and Welfare of Children and Young People. These committees were distinguished from all the other League committees by the fact that

<sup>42</sup> L.N., *Records of the Eleventh Ordinary Session of the Assembly, Plenary Meetings, Text of the Debates* (Geneva, 1930), O.J., Special Supplement No. 84, p. 147.

<sup>43</sup> See chapter on "External Relations," *infra*, pp. 185-87.

certain private international organizations were permanently represented on them by assessors or advisory members. In 1936, the Advisory Commission was transformed into the Advisory Committee on Social Questions. Its membership was enlarged and it was made a purely governmental body. The greater part of the Section's time was occupied with the secretarial work of this Committee, which relied for the bulk of its work upon the research and coordinating activities of the Section. The rôle of the Section in shaping the work of the Committee was considerable. Apart from the technical preparation of the sessions of the Committee, the main activities of the Section consisted of drawing up voluminous reports on traffic in women, prostitution, and protection of women and children, which were discussed and adopted by the Committee and issued under the Committee's responsibility. With the help of money placed at the disposal of the League by the American Social Hygiene Council, two major inquiries into the traffic in women and children in all parts of the world were undertaken. The Section also edited numerous collections of laws and administrative regulations.

A special Child Welfare Center which enjoyed a certain autonomy within the Section was established in 1926.

Later, the Section was subdivided, for all practical purposes, into three services: (a) Traffic in Women and Children; (b) Protection of Women and Children; and (c) Child Welfare Information Center.

In the evolution of the activities of the Section during its twenty years, a shift from the study of the traffic in women and children to broader social welfare questions occurred. The Traffic in Women and Children Service dealt increasingly with questions of social rehabilitation of sex delinquents, the rôle of social services in the cure of venereal disease, and similar problems. The Protection of Women and Children Service dealt "with physical or hygienic questions, such as puericulture, the birth rate, infant mortality, blind children, school recreation and so on";<sup>4</sup> also with legal questions such as auxiliary services of juvenile courts and certain penal and penitentiary questions.

The Section collaborated actively in the preparation of two major international conventions in the field of traffic in women and children. A third convention in this field was in an advanced stage of preparation when the services were suspended in 1940. The Section was also instrumental in preparing the "International Convention for the Suppression of and the Circulation in Obscene Publications," ratified by more than sixty States.

Apart from the work emanating directly from, and executed on behalf of, the Advisory Committee, the Social Questions Section was instrumental in getting as many States as possible to ratify and to apply the different conventions concluded in this field under the auspices of the League. It issued summaries based on the annual governmental reports on traffic in women and children and on obscene publications.

The range of the activities of the Section extended to questions of the influence of motion pictures on juveniles and similar problems bearing only scant relation-

<sup>4</sup> L.N., *Records of the Eleventh Ordinary Session of the Assembly*, op. cit., p. 147.

ship to social welfare, but other major social problems as, for instance, slavery and the refugee problem, were not entrusted to the Social Questions Section. All the activities of the Secretariat in the field of social problems were thus never centralized in this Section. This is one of the instances in which the delimitation of the work of a section did not coincide fully with its purpose and natural function.<sup>45</sup>

The activities of the Section assumed in later years an increasingly expert character. In 1940, shortly before its work was practically suspended, it had prepared studies on the training of social workers and on the social aspects of venereal disease. Certain of its activities, especially those based upon provisions of international conventions, e.g., the issuing of annual summaries of reports of governments, were, however, continued in the Secretariat after 1940.

#### PUBLICATIONS

The Social Questions Section was responsible for the issuing of the reports on the work of the Advisory Committee on Social Questions. It edited summaries of governmental annual reports on traffic in women and children and obscene publications. A legislative and administrative series of documents was published yearly by the Child Welfare Information Center. Among the major reports, studies, and digests issued by the Section the following may be mentioned: *Report of the Special Body of Experts on Traffic in Women and Children* (1927); *Report of Commission of Enquiry into Traffic in Women and Children in the East* (1932); a series of studies on measures for the rehabilitation of prostitutes; special studies on *Child Welfare Councils*, the *Organisation of Juvenile Courts*, and the *Position of the Illegitimate Child*, and numerous special studies of a similar character.

#### STAFF

From the very beginning the Section was understaffed. Its personnel consisted originally of one Member of Section; in 1922, it consisted of four persons (two officials of the First Division); in 1930, of twelve officials (three Members of Section and one specialist). The figures up to 1938 include the personnel occupied with the opium work.

The international work of the League in this field, successful as it was within the narrow compass of its terms of reference, never came fully up to its inherent possibilities chiefly because of defects in the composition of the Advisory Committee. But the general understaffing of the Social Questions Section and the insufficient number of trained social welfare workers on its staff also contributed to this result.

### I. DISARMAMENT SECTION

#### HISTORY

The Disarmament Section was created as a result of a resolution adopted by the First Assembly of the League of Nations. It held a strategic position in the

<sup>45</sup> See chapter on "Principles and Structure of Organization," *supra*, p. 90.

years 1932-34, during and immediately following the sessions of the Conference for the Reduction and Limitation of Armaments. On the occasion of the reorganization of the Secretariat in 1939, it was incorporated into Department I. The activities in this field have been practically suspended since the outbreak of World War II.

#### TASKS, FUNCTIONS, AND ACTIVITIES

The duties of the Disarmament Section were derived from a number of provisions contained in the Covenant — Articles VIII, IX, and Article XXIII (d), apart from general obligations evolving from the stipulations of Article I, paragraph 2, regarding the military, naval, and air forces and armaments of the member States.

The Section: (1) acted as the secretariat of the Permanent Advisory Commission created in accordance with Article IX of the Covenant, which provided that a permanent commission should be constituted to advise the Council on the execution of the provisions of Articles I and VIII and on military, naval, and air questions generally; (2) carried out secretarial work in connection with the right of "investigation" which the League Council held in virtue of the treaties of Versailles, St. Germain, Trianon, and Neuilly; (3) acted as secretariat of the Preparatory Commission for the Disarmament Conference and later of the Conference for the Reduction and Limitation of Armaments of 1932, held in compliance with the duties imposed upon the League under Article VIII of the Covenant; (4) performed secretarial duties in connection with the supervision of the trade in arms and ammunition, undertaken under Article XXIII (d) of the Covenant, and with the supervision of the private manufacture of munitions and implements of war undertaken under Article VIII, paragraph 5, of the Covenant.<sup>46</sup>

After the failure of the Disarmament Conference the activities of the Section diminished greatly. The work of the Permanent Advisory Commission and its machinery of investigation were suspended, and the business of the Section became chiefly one of research and publicity with respect to the stipulations of Article VIII, paragraph 5 (manufacture of munitions).

#### PUBLICATIONS

The Disarmament Section was responsible for the preparation, editorial work, and publication of two statistical year-books, one dealing with armaments in all countries (the annual *Armaments Year-Book*),<sup>47</sup> the other with the traffic in arms, munitions, and matériel of war (the annual *Statistical Year-Book*). It also prepared many volumes of records, conference documents, and other material relative to the Conference for the Reduction and Limitation of Armaments and numerous other publications on air questions, chemical weapons, defense expenditure, etc.

<sup>46</sup> See *Budget for the Ninth Financial Period (1927)*, and *General Report on Financial Questions, Adopted by the Assembly at its Seventh Ordinary Session on September 25th, 1926*, L.N. Document C.581.M.220.1926.X., p. 34, and "Present Activities of the Secretariat and Special Organisations of the League," *op. cit.*, pp. 189-90.

<sup>47</sup> In collaboration with the Economic Intelligence Service.

**STAFF**

The precursor of the Disarmament Section in the International Secretariat was the Secretariat of the Permanent Advisory Commission on Military, Naval, and Air Questions. On the administrative level, its staff consisted of three joint secretaries, — one military, one naval, and one air expert, — who figured in the staff list with their military titles (Captain, Commander, Paymaster Commander, etc.) and were on the active list of their national armed services. Their official designation was not Member of Section but Military, Naval, and Air Secretary respectively.<sup>48</sup>

When the Disarmament Section was created the higher staff fell into two distinct categories: the League staff proper, consisting, in 1922, of a Director, a Chief of Section, and a Member of Section, and the three military secretaries. In 1932, at the time of the Section's greatest activity, its staff was composed, apart from the Director, of three experts, four Members of Section, and eight Members of the Second Division. The Section was reduced in size after 1932 for two major reasons: the failure of the Disarmament Conference and the suspension for all practical purposes of the activities of the Permanent Advisory Commission, which met for the last time in September, 1932. In 1938 the administrative staff consisted of a Director, a military and a naval expert, and three Members of Section.

Beginning with the year 1931, the staff included several citizens of the United States. The two Americans, Mr. Francis Colt deWolf and Mr. Noel Field, who served successively in the Section, both came from desks in the Department of State.

The importance attributed to the work of the Section is reflected by the fact that it was originally under the direct supervision of one of the Under Secretaries-General. It was not accidental that the three directors subsequently charged with the responsibility for the work of the Section were citizens of lesser powers, Spain, Norway, and Greece respectively. Altogether the Section had three directors in the course of the seventeen years of its existence.

## **J. INTERNATIONAL BUREAUX AND INTELLECTUAL COOPERATION SECTION**

**HISTORY**

This Section was originally called International Bureaux, later the International Bureaux and Intellectual Cooperation Section (1928), and finally Intellectual Co-operation. In the course of the reorganization of 1939, the work of liaison and coordination effected by this Section was transferred to Department I (General Affairs); and in 1940 the Section was incorporated in Department III (Health, Drug Control, and Social and Cultural Questions). It was one of the smallest, single services of the Secretariat.

<sup>48</sup> The expenses of these technical officers, who were subject to the administrative authority of the Secretary-General, were borne by their respective governments.

## TASKS, FUNCTIONS, AND ACTIVITIES

(A) Its original function consisted of liaison work with international bureaux and commissions which were placed under the authority of the League by Article XXIV of the Covenant.<sup>40</sup> Altogether, only six international organizations of this type placed themselves under the authority of the League (the International Bureau of Assistance, the International Hydrographic Bureau, the Central International Office for the Control of the Trade in Spirituous Liquors in Africa, the International Air Navigation Committee, the Nansen Office, and the International Exhibitions Bureau). The international activities which came under the head of "International Bureaux" were limited, in practice, to keeping in touch with different international associations and bureaux, especially with those mentioned above, and to preparing up-to-date information on the activities of international organizations (see Publications, *infra*).

The liaison work with the Nansen International Office for Refugees, which was placed under the authority of the League from April 1, 1931, in accordance with the principles of Article XXIV of the Covenant, led to a preoccupation of the "International Bureaux" service with refugee questions, and the service continued this work later when other refugee agencies were created. The work of these new agencies — i.e., the Office of the High Commissioner for Refugees Coming from Germany and the Office of the League of Nations Commissioner for Refugees — was carried on under the auspices of the League but the agencies themselves, unlike the Nansen Office, were not placed under the authority of the League. As the Secretary-General remained charged with the political and legal aspects of the refugee question, this liaison work of the Intellectual Cooperation Section was effected in conjunction with the Political and Legal Sections of the Secretariat.

(B) While most of the work performed by the sections was based upon stipulations of the Covenant (especially Articles XXII and XXIII) or of peace treaties, as in the case of the Minorities Questions Section, the constitution of the League contained nothing about intellectual activities. "Thus the League had no legal basis on which to deal with this question when called to organize its activities."<sup>40</sup> The work of the League in this field was based upon a resolution proposed by M. Léon Bourgeois in the name of the Council suggesting "the nomination by the Council of a Committee to examine international questions regarding intellectual co-operation."<sup>41</sup> On May 15, 1922, the Council set up the International Committee on Intellectual Cooperation as an advisory organ of the Council and the Assembly. This committee held twenty-one sessions between 1922 and 1939. It was not until 1926 that the Assembly recognized the existence

<sup>40</sup> For an account of the reasons which led to the insufficient implementation of Article XXIV, see chapter on "Principles and Structure of Organization," *supra*, pp. 84-85.

<sup>40</sup> Henri Bonnet, "Intellectual Co-operation," in Institute on World Organization, *World Organization; A Balance Sheet of the First Great Experiment* (Washington, D. C.: American Council on Public Affairs, 1942), p. 191.

<sup>41</sup> "Present Activities of the Secretariat and Special Organisations of the League," *op. cit.*, p. 190.

of a technical organization of intellectual cooperation, with a status similar to that of the Health or the Economic and Financial Organization.

The subsequent development of the Committee's work was chiefly due to the facilities afforded by the International Institute of Intellectual Cooperation, placed at the disposal of the League by the French Government. This Institute began to function in January, 1926, and soon overshadowed the work done by the League in this field through the Intellectual Cooperation Section at Geneva. From 1926 on, this Section of the League Secretariat and the Paris Institute with its more numerous staff constituted the executive body of the Intellectual Cooperation Organization.<sup>53</sup> In 1927, another international body financially dependent upon a grant from a national government was placed under the direction of the Intellectual Cooperation Organization, namely, the International Educational Institute at Rome, set up under its own statute by the Italian Government.<sup>54</sup> While its constitutional structure was similar to that of the Paris Institute, the dependence of the Rome Institute on the Fascist government led to a looser administrative relationship to the Secretariat of the League.

The Intellectual Cooperation Section served as the administrative secretariat of the International Committee on Intellectual Cooperation in its relations with the League Council and the Assembly and for official communications with governments. It was also the channel of communication between the Secretariat and the Institute of Intellectual Cooperation (Paris), the Educational Cinematographic Institute (Rome), and the International Institute for the Unification of Private Law (Rome).<sup>54</sup> This Section also acted as the secretariat of the Permanent Committee of Arts and Letters, of the Advisory Committee on the Teaching of the Principles and Facts of Intellectual Cooperation, of the Subcommittee of Experts for the Instruction of Youth in the aims of the League, etc. As an offshoot of the last-named committee an Educational Information Center was created, the work of which was divided between the Section and the Paris Institute. Owing to the shift of the bulk of the work in this field to the International Institute of Intellectual Cooperation and the creation of the International Educational Cinematographic Institute at Rome, the activities of the Section assumed increasingly a liaison character. Members of the Section followed the work of the numerous expert committees which were organized and paid for by the Paris Institute and to a lesser degree by the Rome Institute, attended their meetings, and prepared part of their documentary material. The Report on the "Present Activities of the Secretariat and Special Organisations of the League,"<sup>55</sup>

<sup>53</sup> According to a description by the former director of the Paris Institute "the staff of the Institute was subject to the same rules as those governing the Secretariat of the League. It was international in character, and under the direct control of the Intellectual Committee of the League of Nations." Bonnet, "Intellectual Co-operation," *op. cit.*, pp. 194-95.

<sup>54</sup> This Institute ceased functioning as of December 31, 1937, the Italian Government having notified the League after the Ethiopian conflict, on its withdrawal from the League, that it had decided to discontinue its grants.

<sup>55</sup> *Essential Facts about the League of Nations*, 10th edition, revised (Geneva: Information Section, 1939), p. 266.

<sup>56</sup> *Op. cit.*, p. 191.

issued in 1932, enumerated not less than twenty-three expert committees, organized by the Paris Institute, which met between October, 1931, and July, 1932. The Section was moreover called upon from time to time to perform certain miscellaneous tasks which did not fall within the competence of other sections of the Secretariat, especially in the cultural and educational field. It was entrusted, in 1924, with the preparation of a report concerning the instruction of children and youth on the existence and aims of the League of Nations. Its activities were thus less limited by clear-cut lines of demarcation than any of the other special services of the Secretariat.<sup>56</sup>

The increasing scope of the activities of the Paris Institute, which tended more and more to become the center for international intellectual cooperation, created difficult problems of delimitation of the respective spheres of activity of the Section and the Institute, and of overlapping and even duplication of their functions. M. Vladimir Pastuhov has justly pointed out that "such an intricate and complicated mechanism could function smoothly only if the greatest good will was shown by all of the elements participating in its operation. The relationship between the Secretariat of the League and the Institute was especially delicate."<sup>57</sup>

#### PUBLICATIONS

The Section was responsible, *inter alia*, for the following publications: the *Bulletin of Information on the Work of International Organizations* (half-yearly, previously quarterly) and, at indeterminate intervals, the *Handbook of International Organisations*, listing the organization and activities of the international associations, bureaux, and committees; the annual *Bulletin of League of Nations Teaching* (entitled up to 1933, *Educational Survey*); the reports of the International Committee on Intellectual Cooperation, reports of the Governing Body of the International Institute of Intellectual Cooperation, etc. It also edited a reference book for teachers, *The Aims and Organisation of the League of Nations*. The latter publication has been translated into twenty-five languages.<sup>58</sup>

#### STAFF

In 1920 the staff consisted of one Member of Section, in 1930, of two, and in the years 1933-38, of four Members of Section and a very small auxiliary staff. The German Under Secretary-General and, after Germany's withdrawal from the League, the Italian Under Secretary-General were charged with the direction. In later years the highest ranking member acted as head of the Section.

<sup>56</sup> *Budget for the Eighth Financial Period (1926), and General Report on Financial Questions, Adopted by the Sixth Assembly on September 26th, 1925*, L.N. Document C.619.M.201.1925. X., p. 32.

<sup>57</sup> Vladimir D. Pastuhov, *Memorandum on the Composition, Procedure and Functions of Committees of the League of Nations* (Washington: Carnegie Endowment for International Peace, 1943). Mimeographed.

<sup>58</sup> The special institutions of the League operating in related fields, the International Institute of Intellectual Cooperation in Paris, and the International Educational Cinematographic Institute in Rome, issued their own publications.

### 3. INTERNAL ADMINISTRATIVE SERVICES

#### HISTORY

The Internal Administrative Services — “the machinery of the Secretariat,” to use an expression coined by the Noblemaire Committee of 1921 — were created simultaneously with the establishment of the first sections. Originally they figured in the organization charts and staff lists alternatively under the title “Executive Organization” or “Administrative and Clerical Departments,” later as “Internal Services,” and finally under the title “Internal Administrative Services of the Secretariat.” In the budget they were placed as the second of three major subdivisions of the secretarial services. These services comprised originally all matters of interior organization and finance, discipline, staff questions and routine, and the Library.

In the course of evolution a twofold change occurred: (1) the financial administration and the Library were eventually separated from the internal administration; and (2) the organization and interrelation of the internal services underwent various processes of regrouping, centralization, and rationalization before they evolved into a more or less definite pattern. The most important regrouping was that effected in 1933, when the bulk of the personnel employed in the material reproduction (typing and stencilling) of documents was consolidated into a single unit by the creation of a general stenographic service.<sup>59</sup>

The reorganization of the Secretariat in 1939 left the pattern that had crystallized into a definite form by 1936 essentially untouched. Since 1940, the Internal Administrative Services, regrouped to correspond to the restricted scope of the Secretariat's activities, have retained their identity and character as one of the major subdivisions of the Secretariat. They were incorporated into one common department consisting of three services: (1) Directorate, Staff Questions, Supplies; (2) Internal Services; (3) Duplicating, Registry, Distribution.

From 1921 until 1936 the internal services were in the charge of an Under Secretary-General. Subsequently they were placed under M. V. Stencek, who was made Director at the beginning of 1937 and was directly responsible to the head of the Secretariat.

#### TASKS, FUNCTIONS, AND ACTIVITIES

The services consolidated under the over-all title “Internal Administrative Services” furnished the entire Secretariat with all the technical assistance that constitutes a *conditio sine qua non* for the proper working of any major administration. They departed in two respects from similar “establishment branches” of national administration: they included a documents publication service and had as one of their major subdivisions a large interpreting and translation service made necessary by the bilingual character of the administration. The Internal Administrative Services, in 1938, were organized as follows:

<sup>59</sup> See chapter on “Economy and Rationalization,” *infra*, pp. 171 and 173-74.

## OFFICE OF THE DIRECTOR

1. Personnel Office
2. Internal Services
  - a) Chief of Service and Office
  - b) Technical Services (including Secretariat of Building Committee)
  - c) Superintendence of Premises and House Staff, Office Keepers and Night Watchmen
  - d) Telephone Service
3. Supplies Service
4. General Stenographic Service
  - a) Central Stenographic Service
  - b) Staff attached to Sections (including the local stenographic centers on the different floors and the special "pool" attached to the Information Section)
5. Distribution of Documents
  - a) General Services
  - b) Mail Services
6. Document Service
  - a) Chief of Service and Office
  - b) French Interpreters', Translators', and Précis-Writers' Service
  - c) English Interpreters', Translators', and Précis-Writers' Service
  - d) Verbatim Reporting Service
7. Publications, Printing, and Reproduction of Documents Service  
Head of Service
  - a) Publications
  - b) Printing
  - c) Duplicating and Multigraph Service
  - d) Draughtsmen
8. Registry and Indexing of Publications Service
  - a) Registry
  - b) Indexing of Publications Service

The functions of most of these services are sufficiently indicated by their names and generally resemble those of national administrations. The following description does not aim to give a full picture of their activities, but sets forth some of the special aspects of their work and organization.

1. The *Personnel Office*, according to an official description, "carries out arrangements relating to the engagement and career of staff and is in charge of staff records (card-indexes and personal dossiers). It conducts correspondence with candidates and keeps the register of applications and the relevant files."<sup>80</sup> The Personnel Office served as secretariat for the Appointments Committee and various examining boards and selection committees, and for the Regrading, the

<sup>80</sup> "Present Activities of the Secretariat and Special Organisations of the League," *op. cit.*, p. 168.

Every official was entitled to examine his personal "dossier" containing, *inter alia*, the originals of the yearly and septennial reports of his superiors on his work.

Administrative, and the Judicial Committees.<sup>61</sup> Apart from the personnel functions, properly speaking, the office was in general responsible for the application of the Staff Regulations, for the control of office attendance, sick leave and annual leave of the staff, and for the checking of salary payments.

The rôle of the Personnel Office in appointments was controlling with respect to the staff of the Second and Third Divisions. In the case of appointments to the First Division its rôle was chiefly technical, i.e., the establishment of the files of candidates, the notification of vacancies, the procurement of supplementary information on candidates, the weeding out of applicants not meeting educational standards, or excluded by reason of their age or nationality.<sup>62</sup>

2. The *Internal Services* properly speaking corresponded to the establishment offices or branches of national departments. They were in charge of maintenance for the Secretariat, i.e., the upkeep of buildings and equipment (furniture, fittings, motor cars, heating, lighting, etc.), traveling and moving arrangements, the allotment of accommodations for conferences and committees, and incidental services (janitors, door control, messengers) and the issuance of tickets.

3. The *Supplies Service*, usually called by its French name *Economat*, was chiefly responsible for the purchase and distribution of office furniture and stationery. A special internal committee, the *Contract Committee*, was created to pass upon requests and orders, and purchases could be made only with the authorization of this committee.

4. The *General Stenographic Service*, originally designated "Pool of Shorthand-Typists," supplied the staff to sections requiring stenographic assistance and copying. Up to 1932, only a small fraction of the typing of the various sections had been done in the central pool; later the bulk of the stenographic work of the whole Secretariat was centralized by the transfer of the majority of the stenographers attached to the individual services to this central service. This staff was increased from forty-seven persons in 1932 to ninety. The General Stenographic Service consisted of three groups — clerks at the exclusive disposal of the general service, clerks attached to the sections but under the direction of the general service, clerks employed in the local centers, the so-called "floor pools."<sup>63</sup>

5. The *Distribution of Documents Service* was responsible for the distribution of all League documents to members of the League, delegates to the Assembly and conferences, members of committees, the Secretariat, subscribers, and persons receiving documents free of charge. It was charged with the control of stocks of all documents. The service also provided "document officers" for important meetings of conferences and committees. These officials were in charge of the distribution of the documents during the proceedings and furnished officials,

<sup>61</sup> See chapter on "Contractual Status and Safeguards," *infra*, pp. 262-64.

<sup>62</sup> For the actual working of the appointment procedure, see chapter on "Appointment and Termination of Contract," *infra*, pp. 316-20.

<sup>63</sup> See chapter on "Economy and Rationalization," *infra*, pp. 173-74, for an evaluation of this step from the point of view of efficiency and morale of the staff.

delegates, and experts with reference documents, texts of relevant decisions made in the past, etc.

6. *Document Service.* It was realized very early in the life of the Secretariat that a special service would be necessary for the preparation of all documents submitted to the Council — and later to the Assembly — and of the records of these two bodies. Since all League documents were issued in English and French, a translation section was established. A Drafting Committee was created which was composed of the heads of the French and English branches of the translation section, or their representatives, and a member of the Secretariat responsible for preparing the agenda and general documentation of the Council — and later of the Assembly. In the case of technical documents a member of the section concerned — Health, Mandates, etc. — assisted.

This set-up may be regarded, dating as it did from 1919, as the precursor of the Document Service which was later created as the result of the enormous increase in League documentation during the most active years of the League and the generally felt need for coordination of services most closely concerned with the preparation of the documents. The question of economy was also a factor. In accordance with proposals made by the Committee of Thirteen, a centralized Document Service was finally created, coordinating under one chief different services which had been independent of each other. It consisted of the office of the Chief (the "editor"), and of the French and English Interpreters', Translators', and Précis-Writers' Services, to which were attached the Verbatim Reporting Service. Apart from the general supervision of the component services, the editor was also responsible for the supervision of all documents, and for examining, approving, and editing them.

The editor's position was anomalous in various respects. He was invested with considerable authority in the preparation of documents, including that of overriding the decisions of officials of ranks superior to his own. According to the Office Rules,<sup>64</sup> the Chief of the Document Service was invested, *inter alia*, with the following powers: Apart from sharing in the final decision regarding the method of reproduction (print, multigraph, mimeograph), he had the authority to veto the issuance of documents which seemed to him unnecessary, to shorten and adapt texts of documents as he might think advisable, etc. He enjoyed, furthermore, a unique position in that he directed services more than two-thirds of whose officials were members of the First Division; of forty-one officials employed in the Document Service in 1938, thirty belonged to that Division. In spite of this the editor's own rank was equivalent only to that of a senior Member of Section while his salary was identical with those of a good many of his subordinates.

While the majority of the other services belonging to this administrative group can be found in one form or another in national administrations, these two services constituted a unique feature of the League Secretariat (and, *mutatis*

<sup>64</sup> *Secretariat Office Rules*, pp. 51-52. For more details, see Appendix IV; "Approval and Preparation of Documents," *infra*, pp. 464-65.

*mutandis*, of the ILO) in consequence of the bilingual character of its work. A précis-writing department originally formed part of the printing and publishing branch, which was separate from the interpreters' and translators' department. The Noblesmaire Report of 1921 suggested that the work of the translators and interpreters be combined with that of the précis-writing department in order to give the staff of the combined section more variety in their work and to provide greater elasticity, especially at times of pressure. This suggestion was not adopted until 1930, nearly ten years later, when the Documents Service was established. In view of the unique character of these services and their experience an attempt will be made in the following pages to describe in greater detail the activities of the translators, interpreters, and précis-writers.

(a) *Translators*

As early as November 4, 1920, the Director of the translating service stated in a note that his service was now in a position to make translations from the following languages into the official languages: German, Arabian, Czech, Danish, Spanish, Dutch, Italian, Norwegian, Portuguese, Russian, Serb-Croat, Swedish. In later years many other languages were added. In addition to its own staff, the translation service could always draw for help on the other members of the Secretariat. The Secretariat prided itself on being able to read, digest, and translate material from practically any language spoken by any appreciable number of persons in any part of the world.

This, incidentally, touches unexpectedly upon a question of international law: as the official languages of the Secretariat were English and French most of the official communications were received in one or the other of the two languages. But the League was not a superstate and could not *compel* the governments to employ those languages in their correspondence with the League. Each member State was therefore free to submit its communications in any language it desired. Governments sent formal communications almost exclusively in French or English, if for no other reason, in order to have their own text officially recorded and made the basis of action or deliberation by the League; but supporting texts were often submitted in the language of the country in question and translated into English or French by the Secretariat. As a rule these translations prepared at Geneva were better than those procured by the governments themselves.

Where translations were supplied by the governments themselves, an official at home considered to be an English or French linguist would be entrusted with this work. His mastery of these languages was perhaps adequate for routine communications or diplomatic texts for which traditional terminology was readily available. That did not imply, however, that he was necessarily familiar with the intricacies of technical documents. The result was often a muddled version, at times a text that was outright misleading. Such texts created considerable embarrassment in the Secretariat. As they came from governments they were official texts, but they could nevertheless not be distributed as they stood. The Secretariat had to take the responsibility for dressing them up and correcting them, which

was a departure from diplomatic usage. The services of the League therefore preferred to receive such material in the original language, even in the case of such languages as Rumanian, Serb, and Finnish, and to provide for the translations themselves.

At the beginning the bulk of the translation work was of a political and general nature, for which the essential qualifications were accuracy and a good style. Later three quarters of the work became highly technical, often involving specialized knowledge of such subjects as medicine, serology, transport, military and naval matters, economics, chemistry, public finance, international law, etc.<sup>65</sup> In the course of twenty years specialization on the part of the translators in particular branches of work developed. The persons charged with the translation of such material were aware of all the technical pitfalls and gained familiarity with the increasingly complicated specialized terminology employed by the experts. The translation services attained a perfection probably not reached by any other service before and certainly never surpassed anywhere since. They developed a professional pride in coping with the most difficult texts imaginable.

Translation from English into French and *vice versa* was particularly delicate in the case of words which had the same roots or were identical in both languages but had assumed a different meaning in the course of the evolution of the language. In other cases English allowed an intended vagueness incompatible with the more logical and concise spirit of the French language. In order to meet these and similar difficulties the translation services composed their own dictionaries of synonyms and homonyms compared with which Roget's *Thesaurus* or other language aids were primitive. Out of trial and error grew slowly a terminology and technical language which gave League documents that special style so often criticized by language purists who were unaware of the difficulties involved. This terminology and style may have been involved and may have smacked of bureaucratic pedantry but its adoption was the only way out of difficulties which otherwise would have been quite insurmountable.

#### (b) *Interpreters*

Out of the deliberations of the Peace Conference of 1919, which were carried on in English and French, grew the modern type of bilingual diplomatic conference and the important rôle assumed by the interpreter, who has become a familiar feature of international gatherings of the interwar period. By affording a place of gathering for periodical supranational meetings held in two languages, the League laid the basis for the emergence of the modern type of interpreter which it developed to a previously unknown degree of perfection.

The modern interpreter is a phenomenon *sui generis*. His work cannot be compared with any other professional work, and it demands a combination of qualifications which by their very nature are rarely found in a single individual. Full command of both languages, that from which he interprets and that into which

<sup>65</sup> See *Present Conditions of Work in the Secretariat*, L.N. Document A.21.1927. (including C.245.1927.), p. 3.

he interprets, is the basis of his work. This is true also of the professional translator. But the translator's assignment is easier. He can regulate the tempo and rhythm of his work. In the stillness of his office he can consult dictionaries and revise his text. The interpreter has none of these advantages. On the spur of the moment he must orally convey not the gist but the full content of a speech. He must be an orator and perhaps even something of an actor. The whole effect of an important declaration may be lost if the mannerisms and intonation of an interpreter are uncongenial to the spirit of a debate. He must furthermore be familiar with the questions under debate, or at least he must have a sort of sixth sense enabling him to detect the essential in a conventional phrase, its political implications and importance. While he must, as a rule, not play down any statement, he must not overemphasize it in his rendering or bearing. The interwar years record cases in which a wrong emphasis, a threatening undertone of an interpreter nearly destroyed the patient diplomatic work of many months. Such incidents rarely if ever involved League personnel. Its experienced interpreters seldom failed in delicate discussions. Some of the alleged failures were, in actuality, really triumphs of competence. Sir Austen Chamberlain, proud of his command of the French language, on one occasion interrupted a League interpreter whom he accused of having distorted his statement. The interpreter was able to prove to the satisfaction of the Council that he had not used the corresponding French term which Sir Austen suggested because of the different implication and shade of meaning contained in the French synonym.

An unusual memory, an exceptional faculty of concentration, an ever ready presence of mind are, in addition, requisite for the successful interpreter. Before facing an important gathering an interpreter must possess actual experience. Such experience was difficult to acquire in pre-League days. International conventions of a non-official character, as far as they made use of interpreters at all, were served by the staffs of these organizations themselves; the staff of an international congress was assembled *ad hoc* by the government on whose territory the gathering took place. The League was in the fortunate position of being able to provide for its beginners in the art of interpretation invaluable in-service training.<sup>65a</sup> The galaxy of League committees made it possible to attach them first to less important committees where little damage could be done at worst, and then allow them step by step to serve in important political meetings. The standard of Council and Assembly interpretation could not be reached by every interpreter. Only one who was born to it reached this eminence, which gave him a kind of star position in the international world. This writer remembers many instances in which interpreters performed seemingly impossible feats. Sir John Simon once put the French interpreter deliberately to a dramatic test during the involved deliberations of the Disarmament Conference. He concluded a long and difficult

<sup>65a</sup> In 1941, a School of Interpreters was opened at the University of Geneva. A full account of the activities and the curriculum of this training program will be found as Appendix II to *Proceedings of a Conference on Training for International Administration*, op. cit., pp. 129-31.

speech with a quotation from Shelley, obviously to challenge the skill of the French interpreter, Monsieur M. The latter interpreted the speech as usual with hardly any recourse to notes, as was his habit, and, incidentally, the habit of nearly all top interpreters. To the amazement of the listeners he rendered the Shelley quotation in French verse, thus reaching a peak which will never be surpassed in the history of this art. Another example of the quite exceptional skill of the same interpreter was displayed at a conference held in the Netherlands Indies in 1937, when he interpreted English into flawless French and also French into flawless English. The unusually large attendance of the local population in the galleries was, as a local newspaper guardedly put it, due more to the wish to watch this unique performance than to hear the assembled statesmen. This was in striking contrast to the daily routine at Geneva where, apart from some "great debates," the patience, gift of concentration, and the nervous energy of the interpreters were severely tested by the noise of the constant coming and going of delegates, journalists, and the public, and by private conversations carried on aloud during translations.

(c) *Précis-Writers*

The task of the précis-writers was to prepare minutes or summarized accounts of meetings. Some of them had been originally parliamentary stenographers or verbatim reporters. They made notes during the debates and then dictated their summaries. This task demanded a good deal of judgment. They had to reduce individual speeches to a fraction of their size and to discriminate between short but often important and long but often quite irrelevant speeches. This was often made difficult by the objection of delegates to any condensation of their remarks either out of personal vanity or because these official records were often the only documentary proof of their active collaboration that they could bring home from Geneva. These précis-writers, just as the translators, evolved in the course of years a unique skill, and, considering the position in which they found themselves, complaints were surprisingly rare.<sup>66</sup>

7. The *Publications, Printing, and Reproduction of Documents Service* was divided into two major branches — the Publications Branch, which organized the publicity and sale of League documents throughout the world, and the Printing Branch; and three technical services — the Duplicating, the Multi-graph, and the Draughtsmen Services. The Publications Branch (or Department) <sup>67</sup> was organized as a business undertaking with its own operating costs and accounting. A special service of this branch was charged with the promotion of sales and the collection of subscription proceeds and receipts from sales on the

<sup>66</sup> During the deliberations of the Fourth Committee of the 1929 Assembly the Norwegian delegate characterized the Minutes of Committees "the poorest point in the League's work," complaining that reports had been "doctored" and that he could observe a tendency to reproduce all the complimentary expressions in the minutes whereas criticisms were left out. "Financial Questions; Report of the Fourth Committee to the Assembly," L.N. Document A.90.1929.X., in O.J., Special Supplement No. 79, p. 140.

<sup>67</sup> The work of this service is treated in a special section, "League Publications" (*infra*, pp. 217-22), which also contains information regarding the size of League printing.

open market. The Printing Branch prepared manuscripts for the printers, corrected proofs, coordinated, from a technical point of view, the English and French texts,<sup>68</sup> and made other necessary arrangements with the printers.

The *Duplicating Service*, usually called "roneo service," was responsible for the reproduction of the great majority of the League documents. The following figures will give a picture of its annual output:<sup>69</sup>

Year	Number of stencils and plates used	Number of copies (in millions)
1928 .....	73,151	no information
1930 .....	86,322	" "
1932 .....	68,380	13.9
1933 .....	58,629	10.5
1935 .....	48,437	9.1
1938 .....	43,192	7.3

In order to evaluate these figures it must be taken into consideration that all papers and documents circulated in the numerous League committees were mimeographed. Moreover, most of the major League documents were first issued as drafts in mimeographed form before being printed in their final version, though an effort was made in later years to eliminate the mimeographed stage and to send manuscripts direct to the printers. The variances to which the output was subjected owing to political events is perhaps best illustrated by the following example: the Italo-Ethiopian conflict accounted for nearly four thousand stencils and more than one million and a half pages.<sup>70</sup>

The *Multigraph Service* was increasingly used for the reproduction of documents which did not warrant printing but which had a circulation too wide for the duplicating (mimeograph) service, for example, short documents or important circular letters. Its output is reflected in the following figures:

Year	Number of pages	Number of copies (in millions)
1933 .....	2,150	1.7
1936 .....	3,602	2.0
1938 .....	3,094	2.1

A Rotaprint Service was added in 1935, to handle the increased need for documents which did not justify printing but could be circulated in lieu of printed

<sup>68</sup> English and French texts, for instance, had to be printed in such a manner that their pagination was identical in view of their use for reference purposes.

<sup>69</sup> The seeming reduction of the number of stencils after 1933 is misleading, since after March, 1934, the great majority of documents were mimeographed "in single spacing" and on both sides of the paper. The reduced figures therefore represent a considerable increase in volume of texts.

<sup>70</sup> "Ninth Annual Report of the Publications Committee of the Secretariat," in *First Report of the Supervisory Commission to the Assembly of 1936*, L.N. Document A.5.1936.X., p. 17.

documents.<sup>71</sup> Its output, in 1937, was nearly one thousand plates and half a million copies.

The *Draughting Service* was attached to the Publications Service in 1934. Its chief task was to draw diagrams and maps required by the different services (chiefly Economic Intelligence Service). During 1934 this service produced no less than 570 graphs and maps.

8. *Registry and Indexing of Publications Service*. The Registry was responsible for the registration, classification, and filing of all official correspondence and documents, for the circulation of files, and for the indexing of their contents.<sup>72</sup> The Indexing Service, placed under the control of the Registrar, prepared analytical indexes of the *Official Journal*, the *Treaty Series*, committee minutes, etc.

#### STAFF

The staff of the Internal Administrative Services was of a more varied character compared with that of the general and special sections. It comprised all shades of personnel, from the semiskilled workers employed as night watchmen and the skilled employees charged with proof-reading to the highly specialized members of the indexing services or the interpreters, whose skill made them unique in the world. The officials of the Internal Administrative Services belonged accordingly to all three Divisions of the Secretariat.<sup>73</sup>

The personnel of the forerunner of the Internal Administrative Services, the Administrative and Clerical Departments, was small compared with that of later years. Altogether, 178 persons<sup>74</sup> belonged to these services according to the Staff List of June, 1921;<sup>75</sup> only 31 persons (including interpreters, translators, and précis-writers) received salaries corresponding to those of the First Division, which at that time had not yet crystallized into a clear-cut category. In 1930, the staff of the Internal Administrative Services comprised 343 persons (First Division, 51), and in 1938, 341 (First Division, 38). These Services were under the general direction of one of the Under Secretaries-General until 1937, when a post of Director of Personnel and Internal Administration was created allowing for a more direct and centralized supervision of the different services with their varied tasks and responsibilities.

<sup>71</sup> As a general rule, documents considered of permanent value were *printed* if more than 600 copies in one language, *rotaprinted* if more than 450 and less than 600 copies, were required.

<sup>72</sup> A full description of the mechanism of the Registry Service will be found in Appendix III, "The Filing System of the Secretariat," prepared by Mrs. Catherine Pastuhova, *infra*, pp. 451-63.

<sup>73</sup> See chapter on "Classification of Staff," *infra*, pp. 279-84.

<sup>74</sup> In order to make possible a comparison of the figures with those of subsequent years, the personnel of the Accounting Department and of the Library, which at that time still belonged to this group, has been deducted.

<sup>75</sup> O.J., 1921, pp. 384-91.

## CHAPTER VIII

### INTERNAL COORDINATION OF WORK

The description of the tasks, functions, and activities of the individual sections has provided the raw material for a brief study of the internal coordination of the work of the Secretariat. In order to get a clear picture of the bewildering multitude of major and minor dependencies, links, and encroachments it is necessary to look upon this array from a vantage point outside the international machinery and to start with a description of the relationship in which the different services stand to the head of the administration.

#### I. DIRECT AND DELEGATED AUTHORITY

All authority in the Secretariat stems from the Secretary-General.<sup>1</sup> Not only is he the apex of the staff pyramid, he is the only person responsible to the member States for all activities carried on by the sections and services, perhaps with the sole exception of the Secretariat of the Central Opium Board. Everything that is done in the Secretariat is done by him, figuratively speaking. The actual day-to-day work is either personally executed by him, done under his direct instructions and control, or delegated by him to others. The latter type of work is carried out according to his instructions but without constant reference back to him. In practice, there are, of course, innumerable connective links between these different types of work. In the following pages it has been found advisable to overemphasize slightly the differences in order to illustrate the point.

The work of most services grouped under the first category, "General Sections and Services," was executed in constant reference to the Secretary-General or to the Central Section, which was really part of his authority (and not a service with delegated authority), viewed from the angle from which we approach the problem in this context. Each section and service under this category was of course in a special position. The Political Section stood nearest to the Secretary-General in all aspects of its actions. The Information Section could only function in closest connection with him. The Treasury was in a peculiar position:

<sup>1</sup> For the peculiar position held, in this respect, by his Deputy, see chapter on "The High Directorate," *supra*, pp. 54-56.

most of its work was clearly "delegated" activity, but the responsibility of the Secretary-General for the Budget and the dependency of all of the Secretariat's work on budgetary provisions and the interpretation of these provisions, placed the Treasury midway between the services directly relying upon the Secretary-General's instructions and those enjoying a greater amount of freedom from his direct control. The position of the Legal Section was similar.

The services under the second category, "Specialized Services," i.e., all sections except those comprising general sections, were subject to different degrees of control by the Secretary-General according to the degree of political considerations involved in each case. The Mandates and Minorities Sections, for example, had to rely on him personally or upon his Bureau for some of their activities which touched directly upon politics. But the larger part of their work approached in character that of the technical sections properly speaking. There was in the work of these ten sections invariably *one* element which put them into direct contact with the head of the administration. The relationship between the work under the direct control of the Secretary-General and the work delegated to the respective service was reversed in the second as compared with the first category. In the services grouped under the first the direct reference to the Secretary-General predominated over delegated authority; in the second, delegated authority predominated.

In the third group, "Internal Administrative Services," delegated authority was the rule and was carried very far. The absence of political implications made any direct control on the part of the Secretary-General unnecessary, with the exception of the Personnel Office, whose activities relative to the recruitment of the higher staff necessitated direct reference to the Secretary-General.

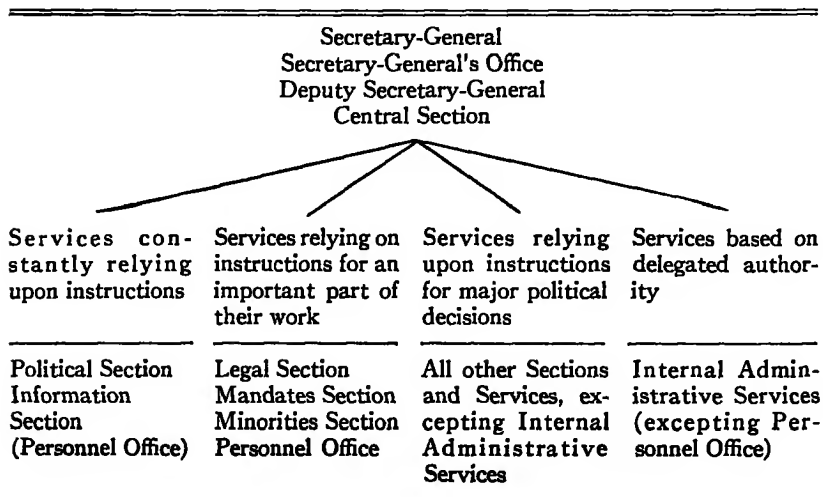
The reader who has followed this account will miss, at this point, any reference to the Highest Officers, and wonder where and how the Under Secretaries-General come into the picture. In a preceding chapter<sup>2</sup> an attempt was made to describe and circumscribe their functions. A close scrutiny of their positions indicated that they did not share in the authority vested in the Secretary-General by the Covenant. Any power they possessed came to them through *ad hoc* delegation or through appointment as directors or supervisors of definite services, i.e., in consequence of direct administrative responsibilities entrusted to them. As the often-quoted Minority Report (Committee of Thirteen) stated, there is "really no distinction between the duties and responsibilities of

<sup>2</sup> See chapter on "The High Directorate," *supra*, pp. 56-60.

the Under-Secretaries-General and the Directors."<sup>3</sup> The Under Secretaries-General did not exist as sources of responsibility.

From a purely technical point of view the relationship of the services and the Secretary-General was evidenced in different ways. Under Sir Eric Drummond a good deal of major business was transacted at Directors' meetings and, informally, through contact between those responsible for the various services and the Secretary-General.<sup>4</sup> Minutes and notes signed by the Head constituted the confirmation of decisions rather than the method by which decisions were arrived at. The second Secretary-General preferred the method of written *exposés* and memoranda. Such papers would often be referred by him to his Bureau or to the Central Section for comment and decision. Whenever he reserved the final decision to himself he would insert it in his own handwriting on the exposé or memorandum in question. Intensely adverse to making decisions, his remarks were often cryptic and allowed different interpretations. In these cases he sometimes refused to interpret them orally.

The relationship of the Secretary-General to the different services, is illustrated in the following chart:



## 2. INTERRELATION OF SERVICES

In accordance with the basic conception of the Secretariat, all services were thus linked in different degrees and in different ways to

<sup>3</sup> *Op. cit.*, p. 30.

<sup>4</sup> See chapter on "The High Directorate," *supra*, pp. 57-58.

the supreme administrative authority. They were also connected among themselves for various purposes and in various ways. This aspect will now be investigated. The actual form this coordination and interplay assumed was dictated by the tasks, functions, and general considerations of efficiency.

As has become evident from the individual sketches in this volume, the groups of sections comprised under (1) General Sections and (2) Specialized Services were separate entities with clear-cut lines of demarcation, up to a point even watertight compartments. This is apparent from the fact that there was very little exchange of staff among them. Further illustration of this can be found in the fact that a number of sections established their own independent statistical services (Health, Financial Section, and Opium Traffic Section). This is also reflected in the practice of not combining the direction of the different sections, if possible; of giving their administrative heads by and large equal rank, and of subjecting them without intermediary to the orders of the Secretary-General.

There was on the whole little overlapping. This was due to the specialized nature of the work of most of the services, to the directives coming from the Secretary-General and the Central Section, to the fact that there was always an Action Section <sup>5</sup> for each incoming letter, and to the mutual understanding reached between the different services whenever doubts arose. The importance of the rôle played by the Registry <sup>6</sup> — though purely technical — in the prevention of confusion and overlapping should not be underestimated.

It is, under these circumstances, not surprising that in spite of the greater degree of centralization established after 1933, no permanent machinery of coordination was ever created. From time to time a committee was set up to study the question but nothing tangible came out of these attempts. A number of internal (technical) committees, which must not be confounded with the administrative and juridical committees <sup>7</sup> were created and functioned in restricted fields for the purpose of coordinating specific tasks and activities, as for example the Publications Committee, <sup>8</sup> a joint Purchasing Committee, or the Inter-Secretariat Statistical Committee, which was created in order to pre-

<sup>5</sup> See "Definitions," *supra*, p. xvii.

<sup>6</sup> See Appendix III, *infra*, pp. 451-63.

<sup>7</sup> See chapter on "Contractual Status and Safeguards," *infra*, pp. 262-64.

<sup>8</sup> Nothing could be published or sent to the printer without the sanction of the Publications Committee presided over by the Director of the Internal Administrative Services and consisting of a representative of the Treasury, the chief of the Document Service, the head of the Publications Service, and a representative of the section from which the document originated.

vent overlapping, to unify statistical methods, and to decide on how borderline cases should be dealt with.

The two groups of services (general and specialized) were linked to the League's external activities through the medium of tasks imposed upon the Secretariat in different fields by the Assembly, the Council, and the various special organizations set up by the Assembly or the Council. The *raison d'être* of the services was that of the Secretariat as a whole, i.e., to expedite the activities of these bodies, to serve them as secretariat, and to accomplish the preparatory and follow-up work, apart from the specific duties entrusted to them under international compacts concluded under the auspices of the League. The work of the services in the third group was exclusively internal in the sense that they supplied the specialized and general sections with help in the preparation and holding of meetings and also supplied the sections with the technical assistance required for their day-to-day activities. These administrative services were at the disposal of all the sections and services, including services belonging to their own group. For example: the Translators and Précis-Writers Branch relied as much as any of the sections on the Supplies Service or the Central Stenographic Service.

(i) The individual general sections and services (the Central, the Political, the Legal, the Information Sections, the Library, and the Treasury) were in constant touch among each other and with all specialized services. The latter were instructed to refer specific questions to these general sections and services. The Central Section, for instance, had to be consulted on questions pertaining to the convocation and composition of committees; the Legal Section in matters requiring the legal interpretation of international instruments; the Information Section on all questions involving publicity. The latter point can perhaps best be illustrated by reference to the Office Rules which are a sort of codification of the internal regulations that had evolved in the course of years and had proved their utility: all sections had to notify the Information Section as soon as a document was ready for distribution to the press; they were also expected to notify the Information Services of the arrival of any important document. These stipulations operated independently of the general rule imposed upon the Registry to keep the Information Section currently informed of all new entries.

In order to facilitate the relation between specialized services and the general services of the type of the Legal and Information Sections a reciprocal service was organized. Each specialized section was supposed to appoint an officer for liaison with one or a group of specialized sec-





tions. The Library, for instance, had staff members specializing in economic, health, or social questions, and it was to this library official that inquiries and requests for bibliographies or books coming from the specialized sections were referred. This liaison activity was never fully implemented in practice, however. Each Member of Section continued as a rule to consult individually the liaison officer in the General Section.

The correlation of the work of a general section with the other sections and services is shown in the accompanying chart concerning the Legal Section.

(ii) As has been stated previously, the *Specialized Services* fulfilled their secretarial duties in the different fields of the League's activities that were shaped by the special organizations, such as the Economic and Financial, the Health, or the Transit Organization, and by statutory commissions such as the Mandates Commissions, or advisory and expert committees directly stemming from the Council. These Specialized Services availed themselves of the General Services for legal advice, publicity, documentation (Library), and of the Internal Administrative Services for all the technical help they needed. As their own clerical staff was very small they depended to a considerable degree on the latter for their work.

The interrelation and integration of these services in the general Secretariat scheme is shown on the chart accompanying the present text. For this purpose, one Section — the Social Questions Section — has been selected. This Section was fairly typical as an illustration of the needs of a service, the main work of which rested upon an Advisory Committee. It issued a fair number of documents (mimeographed or printed), had a small clerical staff, and relied as much upon assistance on the part of the Central Section as upon help from the Library without presenting special complications in its structure and purpose. This chart may therefore serve as an example applicable to half a dozen other specialized sections.

(iii) Most important from the standpoint of the day-to-day work was the interplay between the sections, specialized and general, and the Internal Administrative Services. The sections depended upon the Internal Administrative Services at all times and for the dispatch of most of their work, except for that portion of the clerical work which could be done by the staff permanently attached to each section; they depended for their incoming mail and for all the files upon the Registry; for the preparation, translation, and issuance of documents, upon the

Document Service; for the allotment of committee rooms, upon the Internal Services; for stationery and office equipment, upon the *Economat* (Supplies Service); for the staff problems, upon the Personnel Office; for the bulk of their typing, upon the General Stenographic Service, and so on. Most of these needs required minute advance preparation, exact timing, coordination not only between the needs of the section and the administrative services as a whole but also between the internal services themselves. The degree of this coordination, reflected in the clockwork precision with which documents were supplied, especially during committee meetings, was one of the glories of the Geneva administration.

The Internal Administrative Services were not a unified centralized body. Each section called directly upon the particular service whose help it needed at a given moment. Provisions were made, however, to centralize within the sections the demands upon the various internal services by charging one of the officials with liaison duties, as a rule, the "Secretary of Section." The latter acted as intermediary between the different members of the section and the Internal Services, provided the members with stenographic help from the pool, made the necessary appointments with the translation service in connection with the drafting of documents,<sup>9</sup> and made all technical arrangements in connection with the issuance and the printing of documents, etc. Likewise, the Secretary of Section usually made the necessary provisions for meeting rooms for committees, secured the needed interpreters and *précis*-writers, and made sure that the section had first claim upon the stenciling and mimeographing services during committee meetings.

These few remarks devoted to the internal coordination of work within the Secretariat represent by no means a complete picture or even a description of all the major provisions and usages. But they must suffice to give an over-all impression of the methods and technique employed. It would be particularly interesting to go more fully into the coordination within the Internal Administrative Services as compared with the corresponding services of national administration. But the chief differences were not so much due to the international purpose of the Secretariat as to the specific requirements of a bilingual administration. The working methods of the internal services were not peculiar, to international administration. They were simply the application, by

<sup>9</sup> "Drafting" as employed in the Secretariat for its internal use meant the comparison of the French and English versions of documents by a committee consisting of a member of the section responsible for the document and a member of the translation service.





an international administration, of highly efficient, highly rationalized methods of office organization.

The present study, faithful to its rule of confining itself to international administrative experience as such, must forego a detailed description of this technique. Compared with most public national administrations, especially of the European Continent, everything was dispatched in a more businesslike manner. This was chiefly due to the British officials, who in accordance with British civil service traditions combined administrative efficiency with an essentially non-bureaucratic approach to new problems and situations. The concentration of all activities, first in a few adjoining buildings, later in the *Palais des Nations*, also contributed to efficiency. Most matters were settled by oral discussion. The exchange of minutes between sections and services with its waste of time and its possibilities of misunderstandings was largely confined to confirmation of decisions reached orally.

In the final count it was the human element, however, not administrative patterns and techniques, which accounted for the efficiency with which the technical tasks were dispatched. The administrative procedures were carried out by a staff whose high skill and readiness to work at all hours of the day and the night presented to the outside world a picture of flawless teamwork. Even the development described in the following pages, which constituted a severe threat to the spirit of devotion of a good percentage of the staff, never obliterated the fact that here was, from a technical standpoint at least, one of the most efficient administrations the world has ever known. The routine and traditions established in the first years triumphed over all the obstacles — those coming from outside as well as those created by developments within the administration.

## B. ADAPTATION TO CHANGING NEEDS AND CONDITIONS

### CHAPTER IX

#### THE SHIFT TO THE FRENCH SYSTEM

##### 1. CHARACTERISTICS

The administrative system that prevailed in the first decade of the League Secretariat was one patterned after the British methods of public administration, modified somewhat by American and French principles. The British system has been aptly described by Mr. Edward J. Phelan as one "in which the work comes up from below." Under this system a central Registry receives and opens all letters and distributes them with their appropriate files. "The officials who receive them deal with them if it is within the measure of their responsibility to do so. If not, they send them higher up. At each stage of the hierarchy a part of the work is liquidated. The files, as it were, pass through a series of sieves and only those requiring decision by the highest authority arrive at the top."<sup>1</sup>

The main characteristics of this system are to delegate and distribute responsibilities as widely as possible and to give officials of the different strata the opportunity of judging for themselves whether or not a new problem falls within their authority. It thus has the great merit of relieving the directing officials of details and technical minutiae and of giving them time and leisure to concentrate upon essentials. Problems of minor importance and details that have no direct bearing upon major decisions are automatically disposed of on the lower administrative levels.

From the standpoint of international administration, the British system, as compared with the French and other Latin systems, has the disadvantage of requiring flawless teamwork and unity of purpose among the staff as a basis for functioning. This goal is more difficult of attainment by the civil service of an international agency, which reflects the cross-purposes of its members, than by an old established national administration. The latter is under the direction of a government with its clear-cut policy, and is carried on by a civil service by

<sup>1</sup> Phelan, *Yes and Albert Thomas*, p. 66.

tradition politically neutral or "depoliticized." It is a high tribute to the majority of the League officials that this British system functioned successfully during the first decade of the League and that even the subsequent infiltration of less homogeneous elements did not seriously impede the smooth working of the machine.

When, in 1933, the leadership of the Secretariat fell to a Frenchman, French administrative methods began to permeate the administration. The French system, somewhat modified to fit international administration, had already been introduced in the ILO by its French director. Under this system all incoming mail of any importance is opened by the *cabinet*, the personal office of the head of the administration. Such was French ministerial tradition. "Important letters were reserved for the Minister's personal consideration. The remainder was distributed to the competent services with comments or instructions from the Cabinet. The current ran downwards and not upwards."<sup>2</sup>

The new French Secretary-General did not immediately transform the Secretariat in accordance with the French system and he never established or attempted to establish a full-fledged cabinet system. The British tradition had become too deeply rooted in the daily routine of the Secretariat, and too many key positions, especially in the Internal Administrative Services, were held by Britons, who had been accustomed to handling matters in a certain way and had been handling them exceedingly well. M. Avenol rather aimed at a synthesis which would combine the obvious technical advantages of the British filing and registry system with a stricter over-all centralization and more thorough hierarchical organization following the French pattern.

## 2. REASONS FOR THE CHANGE

The transfer of authority from the British to the French Secretary-General was not the only cause for changes. The inquiries held during the years 1930 and 1931 had clearly revealed that certain reforms were necessary, even overdue. Moreover, additional changes were required to adapt the internal structure of the Secretariat to the change in personnel that had taken place imperceptibly during the last decade. The proportion of Anglo-Saxons in the First Division had decreased, first because of the withdrawal of some Americans who had originally been appointed, later because of the policy of distributing posts in the Secretariat more equitably among the different nation-

<sup>2</sup> *Ibid.*

alities.<sup>3</sup> By 1930, the composition of the First Division had become such that the majority of its members felt somewhat uncomfortable under the prevailing Anglo-Saxon methods.

Here a generalization based on League experience may be ventured — one of the few that can hardly be contradicted: The French-Latin system of administration with its clear-cut hierarchies, directives, and office methods, may have its signal disadvantages, but it is more appropriate for a staff not wholly homogeneous. It is easier for an Anglo-Saxon to adapt himself to the clear-cut rules of a Latin system than it is for a Frenchman or a Slav to work under an Anglo-Saxon system which leaves so much to the personal judgment, self-discipline, and self-restraint of the individual official.

The changes in the Secretariat did not, of course, come suddenly; they were enacted step by step and on different planes. The British tendency to let things grow and arrange themselves by precedence and usage and to get along with a minimum of rules was supplanted by the French system of clear-cut hierarchical order, sharply defined responsibilities, and a tendency toward checks and balances unknown to the British tradition. The absolute anonymity of the international official was not only maintained but more strongly emphasized.

The organization was recast according to the instructions of the Assembly but also on the initiative of the Secretary-General, whose broad constitutional prerogatives in matters pertaining to internal affairs enabled him to institute changes by executive decisions. The regrouping of responsibilities took place by means of office orders and regulations. Stipulations of the Staff Regulations were given a new interpretation. Everything was for a time in flux and evolution. Apart from organizational changes, the new régime effected its reform chiefly through the medium of its policy regarding personnel. The mere device of replacing a Briton by a person who had grown up in the continental or French-Latin administrative tradition was in itself often sufficient to bring about the desired result.

### 3. BALANCE SHEET

Some improvements were thus realized — overlapping was abolished and some frills were cut down. But in other respects serious negative consequences soon became apparent. The more derogatory effects of the

<sup>3</sup> From this shift of nationalities the purely technical posts of language specialists had to be exempted as a matter of course. See chapter on "National Structure," *infra*, pp. 351-58.

new system were primarily due to the fact that the new delineation of duties and the newly effected changes in the working methods were accompanied by a tendency to discourage the spirit of initiative so important for any administrative body as the most vital check against bureaucratization,<sup>4</sup> which threatens every permanent administration.

In fairness it must be granted that there existed in the early thirties objective reasons recommending the restriction of a tradition leaving to the individual official a broad amount of liberty to decide for himself the limits of his own responsibilities. The Secretariat was not a British ministry and the public opinion of the world was not governed by the restraints characteristic of the organs of public opinion in Britain; nor was the Secretariat protected by the severe British libel laws against personal attacks. The League was at that time the target of systematic slander, especially on the part of the press, the radio, and other propaganda instruments of some of the authoritarian and totalitarian states, many of which still maintained their League membership.

This made many otherwise harmless actions or utterances on the part of officials increasingly dangerous and hazardous. Some of the older officials experienced difficulty in gauging the degree to which their activities were watched abroad. It was therefore understandable that the head of the administration would desire to act. Some measures would have to be accepted ungrudgingly by the majority of officials. But it was the manner in which changes were enacted that created misgivings and produced new dangers. Responsibilities and initiative were curtailed and discouraged, if by no other means than by the technique of suspending decisions regarding new initiatives. Hand in hand with this went an obvious unwillingness to delegate authority commensurate with the administrative function and ranks of officials, at least as they had been interpreted in the past. The Directors lost much of their executive responsibility. They came more and more under the supervision of the Secretary-General, who often remained anonymous, but acted

<sup>4</sup> A comparison of different national administrations seems to prove that those ministerial administrations are the most successful which find the proper synthesis of initiative and routine. British administration was always preeminent owing to its flexibility and adaptability — reflecting in this, as does every national administration, the character of the nation or its governing classes. French administration constituted the other extreme by its frozen routine and strait-jacket rules. The German civil service, which paid its officials well and provided for them social prestige, attracted to its fold some of the most gifted members of the growing generation who, in most other countries, would have gone into business or would have chosen one of the professions. As a result, the German national administration of the pre-Hitlerian Germany was extremely successful owing to its blending of German thoroughness and methodical procedures with a considerable degree of liberty afforded the executive and top administrators.

through an increasingly powerful Central Section which assumed in many respects the rôle of the *cabinet* in the French meaning of this term.

This situation led inevitably to a lowering of status throughout the next category of the staff, that of the Members of Section.<sup>6</sup> They had been the backbone of the Secretariat and their morale had been indicative of the spirit of the whole body. Their spirit was broken; they became increasingly mere mechanical executors of their tasks, discouraged from taking responsibilities and considered exchangeable in their duties. Some of the more active elements among them resented what they considered "loss of caste" and looked homeward for activities of greater responsibility. That this did not express itself more clearly in figures of resignation was due to a number of circumstances: (1) These men and women, after an absence of ten or more years from home, had lost their professional standing and their professional contacts in their countries of origin; their absence was no longer compensated for by the glamor which had formerly characterized League service in the eyes of their compatriots. (2) The increase of nationalism and the decay of democracy at home made former loyal servants of the League suspect rather than particularly popular with their home governments. (3) The growing unemployment in the early thirties among intellectuals and the low salaries of administrative and intellectual positions at home made a return as a rule a considerable sacrifice at an age when most men and women aspire to a greater stability and security in their employment. The number of those who actually left was therefore not indicative of the number of those who desired to do so around 1935. Most of these malcontents just drifted along until the crisis of 1940 abruptly ended their League career.

On the whole the result of the shift to the French system of administration was mostly negative. But it would be wrong to make this shift responsible for all the ensuing effects. At least an equal share of responsibility must be attributed to the accompanying circumstances and the general trend of events.

<sup>6</sup> See chapter on "Classification of Staff," *infra*, pp. 281-82.

## CHAPTER X

### THE EMERGENCE OF THE ECONOMIC, SOCIAL, AND HUMANITARIAN ACTIVITIES

#### I. GROWTH OF THE TECHNICAL WORK

Political and diplomatic work prevailed in the Secretariat in the first decade of its existence. In this it reflected the attitude of the governments toward the League, which was predominantly political. Later a shift in favor of the non-political or not fully political activities took place.

The so-called technical work <sup>1</sup> had its constitutional basis in Article XXIII of the Covenant. The stipulations contained in this article were further defined by a resolution first adopted by the League Council at its Fifth Session in Rome, May 19, 1920, and later confirmed by a resolution adopted by the First Assembly on December 8, 1920. This text served as a basis for the whole technical work of the League up to the time of the adoption of the Bruce Report by the 1939 Assembly. According to this resolution the technical organizations of the League —

are established for the purpose of facilitating the task of the Assembly and the Council by the setting up of technical sections on the one hand and on the other to assist the Members of the League, by establishing direct contact between their technical representatives in the various spheres, to fulfil their international duties.

With this double object, they must keep enough independence and flexibility to make them effectively useful to the Members of the League, and yet they must remain under the control of the responsible organisations which conduct the general business of the League, with a view to verifying whether the proposals are in conformity with the principles and spirit of the Covenant, in accordance with Articles 19 and 20.<sup>2</sup>

The chief technical organs of the League were the Health Organization, the Communications and Transit Organization, and the Economic and Financial Organization, with their respective committees, the Anti-Drug bodies, the Advisory Committee on Social Questions, and many

<sup>1</sup> For the meaning of this term, see "Definitions," *supra*, p. xviii.

<sup>2</sup> Resolution adopted by the Council at its Fifth Session, O.J., 1920, p. 151, and resolution adopted by the Assembly during its First Session, O.J., Special Supplement [No. 4a], January, 1921, p. 12.

other permanent, advisory, or *ad hoc* committees set up by the Council and answerable to it. The technical sections were charged with the secretarial work of these organizations, as well as with the preparatory and follow-up work of the various technical committees and research work commissioned by them, and with drawing up and issuing special periodical studies and publications in an ever-increasing degree. Moreover, the League was entrusted under international conventions with special tasks and control functions which were performed by these sections.

The increasing number and importance of some of the technical and expert committees and of the conventions concluded under the auspices of the League of Nations found their counterpart in the growth of such services as the Economic Intelligence Service and the Health Section with its important Far Eastern outpost, and in the emergence of separate Opium Traffic and Social Questions Sections. If the growth of other services, as for example the Communications and Transit Section, was later arrested, political rather than technical reasons were responsible for this change. On the whole the technical work entrusted to the Secretariat by the Council was in constant evolution as contrasted with other activities of the Secretariat, in particular, the political.

The evolution of the technical activities is reflected in the League budget. Originally their part in the expenditures was small. But with the emergence of the Economic and Financial Organization, the Organization for Communications and Transit, and the International Health Organization, the portion of the League's budget allocated to

EXPENDITURES ON HEALTH WORK <sup>1</sup>

Year	Expenditures chargeable to:		Total
	League funds	Rockefeller Foundation	
	(Swiss francs)		
1922.....	330,823	.....	330,823
1923.....	604,580	524,407	1,128,987
1924.....	722,567	628,885	1,351,452
1925.....	813,611	730,520	1,544,131
1926.....	797,477	656,366	1,453,843
1929.....	948,402	550,666	1,499,068
1937.....	836,025	295,150	1,131,175

<sup>1</sup> These and the following figures in this chapter include, apart from the administrative expenses, properly speaking, the costs of conferences and of sessions, committees and subcommittees, etc., and in the case of the Health Organization, the League contributions to the Eastern Bureau.

its technical work increased by leaps and bounds in the early twenties. In later years certain branches of these activities remained more or less stabilized, but other activities of a non-political or not fully political character claimed increasingly large appropriations, such as the Economic Intelligence Service, the Opium Section and, temporarily, the technical aid to China.

A few concrete examples might illustrate the degree of this growth of the technical activities in the twenties. The foremost example is the truly amazing extension of the health work of the League.

As the figures in the above table show, a stabilization, even a slight retrenchment, set in, in later years.

The early growth of the Health Organization eventually alarmed the Supervisory Commission, which stated in a report that —

The expenditure which is proposed for 1926 amounts to one-twelfth part of the whole charges of the Secretariat and the special organisations. If it were not for the generous grants of the Rockefeller Foundation, the ratio would be still higher and would amount to almost one-seventh. The Commission thinks that a certain proportion should be maintained both between the budgets of the various organisations themselves and between the budget of each organisation and the budget of the League as a whole; otherwise, budget equilibrium might be disturbed and the usefulness of the League's work seriously impaired.<sup>4</sup>

Another example can be found in the evolution of the activities of the Economic and Financial Organization during corresponding years. The expenditures of this Organization are indicated in the following table:

Year	Rockefeller Foundation Grant (Swiss francs)	Expenditure (Swiss francs)
1923.....	.....	813,768
1926.....	.....	887,462
1929.....	.....	1,535,199
1932.....	182,797	1,273,918 <sup>5</sup>
1937.....	114,340	1,242,575 <sup>5</sup>

The Organization for Communications and Transit affords an example of a technical service, the growth of which was markedly arrested in later years:

<sup>4</sup> "Report of the Supervisory Commission on the Work of Its Fourteenth and Sixteenth Sessions," L.N. Document A.5.1925.X., in O.J., Special Supplement No. 37, p. 72.

<sup>5</sup> Including expenditure for Economic Intelligence Service.

Year	Expenditure (Swiss francs)
1923.....	277,783
1926.....	308,292
1929.....	388,295
1932.....	279,944
1937.....	236,696

The prototype for technical activities which grew slowly in the first years and increased only in later years can be found in the work of the Opium Section. No exact figures are available for the early years, as the work of the League in this field was carried on by the Social Questions Section as part of its activities.

The costs of the anti-opium work amounted to about 70,000 Swiss francs in 1923 and to about 220,000 Swiss francs in 1926, of which the greater part was non-recurrent expenditure occasioned by a commission of enquiry on opium cultivation in the Middle East, defrayed from non-League sources. In 1929, the expenditure amounted to about 275,000 Swiss francs, including the expenses of the Permanent Central Opium Board. The corresponding figures for 1932, 1937, and 1938 were:

Year	Expenditure (Swiss francs)
1932.....	342,332
1937.....	362,742
1938.....	374,625

The most remarkable aspect of these developments may be found in the fact that most of the technical services maintained their budget and some even increased it after 1932, in spite of the fact that the League budget as a whole showed a tendency to decrease after having reached its peak in 1932.

The evolution of the technical work may perhaps be even better exemplified by reference to the number of persons employed in these services. The figures given below include all officials employed full time in the following services: Financial and Economic, Communications and Transit, Health, Drug Control, Social Questions, Intellectual Cooperation. The staffs of the Disarmament Section, the Mandates and Minorities Section, and the General Sections are not included in the calculation, which is restricted to the technical services properly speaking.

Year	Persons Employed <sup>a</sup>
1923.....	65
1926.....	71
1929.....	85
1932.....	158
1938.....	143 <sup>b</sup>

According to these figures, the personnel employed full time in the technical work of the League nearly trebled between 1923 and 1932.

As no official calculations regarding the costs of the technical work in the League's expenditure have been issued and as the League budgets do not show what proportion the share of the technical organs of the League bore to the total cost of the internal services of the Secretariat, it is impossible to illustrate this point by actual figures. It is probably not too far off the mark to state that their cost represented about 25 to 30 per cent of the League budget proper <sup>a</sup> in 1921 and that it was over 50 per cent from 1930 on. These figures do not comprise the ILO, whose work is technical within the meaning of the term used here, but whose autonomy does not permit its inclusion in this calculation. If the ILO budget were taken into account, the proportionate share of the technical work would be even more striking.

## 2. THE STRUGGLE FOR RECOGNITION

In keeping with his general attitude of complying readily with all official demands as long as they were compatible with the letter or the spirit of the Covenant, the first Secretary-General provided these services with the necessary personnel, without ever going out of his way to encourage them. His attitude was reflected in the manner in which he separated the Economic from the Financial Section, and the Health and later the Opium Traffic Section from their main body, the Social Questions Section. Cautiously following rather than anticipating developments, he supplied these services with the needed personnel and administrative support, often overcoming considerable difficulties as the yearly reports of the Supervisory Commission prove. Still, Sir Eric

<sup>a</sup> Administrative and junior staff exclusively employed in these services.

<sup>b</sup> In order properly to evaluate this figure, it must be noted that following the rationalization of services in 1933-34, a number of clerical workers previously permanently attached to the sections were transferred to the General Stenographic Service (Pool).

<sup>c</sup> Excluding the ILO and the Permanent Court of International Justice.

Drummond's general approach remained political. This is perhaps best illustrated by the fact that he replaced Dame Rachel Crowdy, a professional social worker who had been in charge of the combined Health and Social, and later Social and Opium Traffic, Section, by a diplomat with humanitarian interests.

Sir Eric Drummond's successor, more inclined to be systematic and, like most Frenchmen of his class, less interested in humanitarian ventures than the Englishman he had replaced, watched developments with evident apprehension. He supported the administrative needs of the growing Economic Intelligence Service because of his interest in economic problems and its possible impact upon concrete economic policies. But he resisted any attempt to transform the dying Nansen Office for Refugees — originally created to assist Russian refugees — into an office for all classes of refugees. After Hitler's rise to power, the refugee question became a major international problem, and strong forces attempted to make the League the administrative center of operations for international efforts to help the unfortunate victims of Nazism, inside and outside the Third Reich. The Secretary-General, influenced by some governments, encouraged rather than discouraged the separation of all these activities from the League administration.

The official attitude toward international intellectual cooperation was similar. In accordance with the views of some governments, especially the British, the administration supported the transfer of the major part of the League's activities in the realm of intellectual cooperation from Geneva to Paris, and lent its aid to the growing independence and autonomy of the International Institute of Intellectual Cooperation, founded, sponsored, and for the greater part financed, by the French Government.

How far the Secretary-General was prepared to go in his resistance against the expansion of the non-political activities of the League was shown in 1938, when he compelled the governmental delegates to the Assembly to abandon their plan to create in the East a coordinating office for police authorities. This episode has been more fully described in another context, where the difficulties of enlarging an essentially consultative agency to include operational activities are discussed.<sup>9</sup> It is referred to here in order to illustrate the struggle of the technical services for recognition.

This attitude of the Secretary-General has frequently been inter-

<sup>9</sup> See chapter on "Characteristics and Problems of International Administration," *supra*, pp. 6-7.

puted as purely negative — probably wrongly so. It stemmed from and reflected an over-all conception of what constituted the domain of League activities. It is therefore defensible on grounds of principle even if one should be inclined to question the wisdom of this approach in view of the growing interest shown by the governments in the non-political work of the League and its possible consequences for the survival of at least part of the League's activities.

The position of the second Secretary-General was dictated by his conviction that the ultimate fate of the international technical work depended exclusively on the political work and that success in the political field would solve all technical problems. Translated into concrete action, this meant that the League's political work, its *raison d'être*, should under no circumstances be overshadowed by secondary activities. In case the League's political activities decreased, technical and non-political services had to be maintained in their preestablished normal proportion to the political work. He would probably have considered as normal proportion the position that existed in the year 1933, when he was appointed head of the administration.

In later years the governments themselves did not, in their majority, share this concept, as their unexpected willingness to encourage these activities showed. It was, for instance, the humanitarian and economic activities of the League which constituted the chief link between the United States and the League. Moreover, a number of countries, on giving notice of their intention to withdraw from the League, signified their desire to continue their cooperation in the technical work. Willingness to continue their collaboration in this work while severing their political bonds with the League was in some cases dictated not so much by interest in these questions themselves as by their desire not to burn behind them all the bridges leading to Geneva, or even by the intention to facilitate their return to the League at a later date. This fact alone suggests that this work possessed for the League major political importance, transcending the intrinsic value of the technical work itself. As a matter of fact, in 1938, the technical work of the League stood out as the chief evidence of the League's continued utility and vitality.

### 3. THE BRUCE REPORT

At the beginning of 1939, a number of reasons converged to suggest an investigation into the relationship of the whole of the technical work

of the League to its political work. Many member States of the League felt that the close link between the political machinery of the League and its economic, social, and humanitarian activities was becoming a handicap for these activities proportionate to the spread of the political world crisis. Moreover, many States which had withdrawn from the League had indicated their willingness to collaborate in international efforts in these fields if a certain autonomy in these activities could be secured, and the prospect of a continuation of international activities on a near-universal scale weighed heavily with statesmen and experts, hoping against hope that a major conflict could still be avoided.

Apart from such political considerations recommending a revision of the organization, the feeling gained the upper hand that the character of the organization of the technical work of the League, which had remained essentially unchanged during twenty years, was no longer adequate to cope with new tasks and developments. A greater measure of autonomy in the economic, social, and humanitarian activities, it was felt, would not only meet temporary needs arising out of the international situation at that time, but would also stimulate the development of these activities from a long-range point of view.

The Council of the League, on May 27, 1939, decided to set up a committee charged with studying appropriate measures of organization which would ensure the development and expansion of the League's machinery for dealing with technical problems, and promote active participation of all nations in the efforts to solve these problems.

The report of this committee, called the Bruce Report after its chairman, Mr. S. M. Bruce, High Commissioner for Australia in London, formerly a Prime Minister, expressed the opinion that the time had come for the Assembly to "undertake a revision of the existing organisation of its economic and social work, in order to cope more effectively with the great developments which have taken place since 1920."<sup>10</sup> The Assembly was advised to "set up a new organism, to be known as the Central Committee for Economic and Social Questions, to which should be entrusted the direction and supervision of the work of the League Committees"<sup>11</sup> dealing with these questions.

This Committee was to consist of representatives of twenty-four States, with an additional eight members co-opted in a personal capacity "on the grounds of their special competence."<sup>12</sup> One of the tasks

<sup>10</sup> *The Development of International Co-operation in Economic and Social Affairs: Report of the Special Committee*, L.N. Document A.23.1939. (Geneva, 1939), p. 18. (Bruce Report.)

<sup>11</sup> *Ibid.*, p. 19.

<sup>12</sup> *Ibid.*, p. 21.

of the Committee was to study the conditions under which States not belonging to the League could participate in its work and "to take such steps as appear to it appropriate in order to facilitate their participation."<sup>13</sup> The Draft Constitution of the Committee provided for the establishment, by the Secretary-General, of a separate budget relating to economic and social work and for the adoption of the majority principle in its decisions.

An implementation of these proposals would have had far-reaching consequences not only for the activities of the technical organs of the League, but also for the services of the Secretariat that had been charged, in the past, with the secretarial duties of the technical organs and had acted as their research centers. There is no explicit reference in the Bruce Report or in the attached Draft Constitution of the Central Committee to the administrative consequences of carrying out these suggestions. It can be assumed, however, that a wide separation of the political and quasi-political from the so-called technical services would have been the inevitable consequence. Whether this would have led, as some writers assumed,<sup>14</sup> to a complete separation of these services and the establishment of a technical secretariat can be doubted. Reasons of economy and the desire to make full use of the internal services of the secretariat would probably have prevented such far-reaching measures. It is more likely that the economic and social services would have been more closely linked up with each other within the Secretariat and put under a single administrative head while remaining under the general direction of the Secretary-General.

Political developments prevented the execution of the scheme. The Report of the Bruce Committee, drawn up in August, 1939, for submission to the Assembly, was adopted by the Assembly the same year, after the outbreak of the war. The ratification by the Assembly had come too late. The report remained a dead letter, and it is doubtful whether the changed circumstances after the war will permit of a full realization of its recommendations. Developments have in the meantime led to the planning and actual setting up of technical organs of a different type, such as the Food and Agriculture Organization, and, up to a point, UNRRA.

The permanent importance of the Bruce Report must therefore be sought not in the concrete proposals it contains but in its underlying idea, namely the desirability of granting the technical organs a greater

<sup>13</sup> *Ibid.*, p. 22.

<sup>14</sup> Walter H. Ayres, "An Economic League of Nations; The Report of the Bruce Committee," *Peace*, New Series, Vol. 2, No. 6 (November, 1939), p. 49.

degree of autonomy than they possessed from 1919 to 1940. This idea is now almost generally accepted by statesmen and experts studying the pattern best suited for the international organization of economic, social, and humanitarian activities.<sup>15</sup> As far as the League is concerned, "too late" is written over this effort of constructive statesmanship.

<sup>15</sup> There is a striking resemblance between the suggestions contained in the Bruce Report and the proposals for the creation of an *Economic and Social Council* contained in the scheme drawn up by the four powers at Dumbarton Oaks in 1944. The chief difference can be found in the purely governmental composition of the Economic and Social Council.

## CHAPTER XI

### ECONOMY AND RATIONALIZATION

#### I. OBSTACLES AND LIMITATIONS

A constant demand for economy accompanied the evolution of the Secretariat. The Secretary-General was perpetually urged to exercise the strictest internal economy and to keep down the budget. From a survey of the debates surrounding this question it appears that those pressing for economy and budgetary savings did not always clearly distinguish between these two demands. The size of the budget depended primarily upon the activities of the League. All the efforts of the administration to stabilize the League budget were, at least up to 1935, thwarted by the increase in the tasks entrusted to the Secretariat. Most of the governments were not sufficiently aware of the dilemma in which they placed the administration. They demanded cuts in the budget. The Supervisory Commission and the Fourth Committee followed suit with suggestions for savings, but the other committees of the Assembly simultaneously authorized new undertakings which necessitated the setting up of new committees and studies and increased the work of the Secretariat and thereby the expenditure.

Some of the new undertakings sanctioned by one or the other committee were undeniably haphazard. As Sr. C. Zumeta (Venezuela) stated in 1931, "Each year the League's sphere of activity was extended, not with a view to its harmonious and methodical development, but in an impromptu fashion."<sup>1</sup> National delegations to the Assembly which voted in the Second, Fifth, or Sixth Committee<sup>2</sup> in favor of new activities sometimes opposed the budgetary consequences of these new activities in the Fourth (Budget) Committee. While the range of League work embraced more and more spheres of international activity, governments were anxious to avoid any increase in their contribution and indeed often pressed for a reduction. Any large-scale savings were thus rendered impossible by the governments themselves.

<sup>1</sup> L.N., *Records of the Twelfth Ordinary Session of the Assembly, Meetings of the Committees, Minutes of the Fourth Committee (Budget and Financial Questions)*, Geneva, 1931; O.J., Special Supplement No. 97, p. 9.

<sup>2</sup> The Second Committee discussed the technical organizations, namely, health, communications and transit, economic and financial questions; the Fifth Committee dealt with social and humanitarian questions and intellectual cooperation; and the Sixth Committee, with political and minority questions.

The question of economy, properly speaking, is of an entirely different order. It is an internal administrative measure, implying the most economical and effective use of the machinery and personnel for the dispatch of international duties. It is not suggested that there is no link between the budget and internal economy, but the fact was often overlooked that internal economies could at best only mean the saving of small fractions in a budget of the size required by the League as long as the states insisted that the essential functions of the League should not be hampered — a stipulation which the states invariably linked with their demands for economy.

The confusion as to the difference between two efforts which were not related subsisted practically for twenty years. It can only be explained by the belief on the part of the policy-framing persons that the administration was too generously staffed and that it possessed a large margin of not fully occupied services which could be utilized for expanding activities without additional costs. This assumption put the Secretary-General from the beginning in an unfair position. It compelled him to defend publicly internal measures which should have been and which are in most national administrations the exclusive domain of the head of the administration, and to attempt economies at the expense of the efficiency of the administration.

A policy of internal economies had been pursued as a matter of administrative routine since the inception of the Secretariat's work. There was a constant endeavor to reduce administrative waste, to curtail unnecessary official journeys, to reduce the expenses for telegrams and cables, to save postage and light. The Secretary-General was justified in stating in June, 1927, that because of the increased experience which had been acquired, "the administrative and secretarial work falling on the Secretariat had increased in a proportion very much greater than the staff itself."<sup>3</sup>

Because the major part of the League budget consisted of salaries, the emphasis of the economy drive was originally on salaries. The question of a reduction of the general salary level loomed in the foreground of all discussions until a committee of jurists<sup>4</sup> declared the Assembly incompetent to change the salaries unilaterally (1932). The emphasis of the discussion therefore shifted subsequently to what was called rationalization, i.e., the technical streamlining of the administration, the weeding out of unnecessary posts, the attempt to entrust the work on hand to

<sup>3</sup> *Present Conditions of Work in the Secretariat*, L.N. Document A.21.1927 (including C.245.1927.), p. 1.

<sup>4</sup> See chapter on "Compensation and Vacation," *infra*, p. 293.

officials of lower rank or to fill posts which had been vacated by persons appointed at the initial salary. The process was complicated by factors that do not enter into similar attempts on the part of national administrations. One was the bilingual character of the League, "an obstacle which the most economical administrator was unable to overcome." The other was the international character of the Secretariat. In the words of M. Rappard, delegate of Switzerland, "the responsible heads of the international organizations were asked to reconcile two incompatible principles — the maximum rationalisation in their administration and the maximum internationalisation. Neither of those conditions could be fulfilled without violating the other."<sup>5</sup> The attempt was something akin to squaring the circle.

Efforts were further thwarted by political factors. Measures that appeared purely technical assumed political significance. A curious illustration of this was given by the Secretary-General in July, 1932, on the occasion of the discussion, by the Council, of a British memorandum on expenditures of the League.

He thought every now and then that a change might be made in administration and two or more Sections combined. It had occurred to him some two or three years ago that a particular administrative change might be valuable if the Section dealing with the Administrative Commissions were combined with that concerned with Mandates. Administratively, that would have been a very good plan, but the Secretary-General had talked the matter over with a German friend who had said, "You cannot do it, because it is politically impossible. What will happen? People in Danzig and the Saar will consider that they are being treated in the same way as the people in a territory under mandate. You look upon it as a purely administrative question, but there are bound to be political objections." The Secretary-General had made enquiries and had found that the argument was right. Had he carried out such a change, he would have let loose a tempest of popular excitement. Such international difficulties a national administrator — luckily for him — had not to face.<sup>6</sup>

Not only did questions of organization assume political significance but purely internal administrative measures like "downgrading" and reduction of staff also met political obstacles.<sup>7</sup> The very governments which, in the Fourth Committee, were most vocal in demanding economy were often the very ones that insisted on posts in the First Division for their nationals. Consequently, the economy drive initiated by the policy-making organs of the League left only a small margin of action

<sup>5</sup> L.N., *Records of the Twelfth Ordinary Session of the Assembly, Meetings of the Committees, Minutes of the Fourth Committee*, *op. cit.*, p. 16.

<sup>6</sup> O.J., 1932, p. 1232.

<sup>7</sup> See chapter on "Classification of Staff," *infra*, p. 288.

for the Secretariat. Measures that were taken consisted of leaving posts unfilled when they became vacant even though they were provided for in the budget. In 1938, for instance, four higher posts for which budgetary provisions had already been secured, remained open. Non-renewal of contracts was another measure available to the administration. More important was the attempt to decrease expenditures by large-scale reduction of personnel in the lower brackets of the service through measures of rationalization.

## 2. RECORD AND EVALUATION OF AN EFFORT

The first coordinated effort toward rationalization was made in 1931, when the International Management Institute, a semi-autonomous service attached to the ILO, was asked to investigate the working methods of the different sections and to make suggestions. Investigators visited the different services, studied the physical working conditions and the organization of work, and suggested minor improvements, most of them consisting in the application of measures that had proved their usefulness in private business enterprises. In the Economic Intelligence Service,<sup>8</sup> for instance, schedules for the completion of certain research activities were set up and a better coordination of the different stages of the work recommended which led to some speeding up of work. Suggestions regarding the pooling of clerical personnel and office arrangements yielded some small advantage. There was very little margin that could be taken up by such methods, however, and the net result was disappointing.

A new attempt was initiated in the spring of 1932 by the British Government, which at the sixty-seventh session of the Council demanded an examination of the whole organization of the League with a view to effecting economies, and a review of the scale of salaries of the staff. The Supervisory Commission subsequently asked the Secretary-General to prepare a report and asked Sir Malcolm Ramsay, ex-Comptroller-General of the British Government, to make an enquiry into the general question of the remuneration of the staff.<sup>9</sup> It also requested the International Management Institute to investigate the technical aspects of the problem.

<sup>8</sup> See chapter on "The Individual Administrative Units," *supra*, pp. 111-15.

<sup>9</sup> The "Report by Sir Malcolm Ramsay" appears as Appendix I to "Questions Referred to the Supervisory Commission by the Council at its Meeting on May 21st, 1932, Report of the Supervisory Commission," L.N. Document A.5(a).1932.X., in O.J., Special Supplement No. 107, pp. 134-43.

The Assembly of 1932 asked the Supervisory Commission —

to proceed to a detailed study of the possibilities of effecting economies in the expenditure of the League of Nations by means of a technical concentration of its activities and by any other means of reorganisation and rationalisation in the services of the Secretariat and of the International Labour Office, on condition, however, that these measures should in no way hamper the essential functions of the League.<sup>10</sup>

The Supervisory Commission submitted a voluminous report.<sup>11</sup> Its chief recommendations were that the individual private secretariats attached to the highest officials be transformed into a small single section (Central Section);<sup>12</sup> that the size of the Information Section be reduced, and that the Internal Administrative Services be reorganized with a view to centralizing their work and considerably reducing their personnel. The most important and most radical among the suggestions was the proposed transfer of most of the stenographers from the individual sections to a central stenographic service. The Commission recommended that the salary scale of officials should remain intact.<sup>13</sup>

In 1934, the chairman of the Supervisory Commission was in a position to report that the endeavors toward rationalization had led to "very important results." Fifty-eight posts<sup>14</sup> in the Secretariat had been abolished which corresponded to a saving of more than half a million Swiss francs.<sup>15</sup> It was not an accident that the drive for economy was most intense at the depth of the depression (1931-33), when all national administrations were cutting down their budgets and many countries were reducing the salaries of their public servants.

In later years little was heard of the completion of the reorganization. In 1936, the Secretary-General reported that he had reduced the grade of a number of posts, the previous holders of which were receiving high salaries in comparison with their positions. The transfer of the Secretariat from the old to the new League buildings on the other hand

<sup>10</sup> L.N., *Resolutions and Recommendations Adopted by the Assembly during its Thirteenth Ordinary Session (1932)*, *op. cit.*, p. 15.

<sup>11</sup> "Technical Concentration of the Activities of the League of Nations and Rationalisation of the Services of the Secretariat and the International Labour Office; Report by the Supervisory Commission to the Assembly," L.N. Document A.10.1933.X., in O.J., Special Supplement No. 118, pp. 99-115.

<sup>12</sup> See chapter on "The High Directorate," *supra*, pp. 61 and 63-64.

<sup>13</sup> It proposed, however, a reduction of the salary of new appointees after October 15, 1932. See chapter on "Compensation and Vacation," *infra*, p. 293.

<sup>14</sup> As five new posts were simultaneously created, the net saving was not quite as large as appears from the above statement.

<sup>15</sup> Twenty-five of the suppressed posts were those of stenographers and junior staff placed at the disposal of the sections.

necessitated the creation of not less than twenty-nine new posts in the internal services to operate the machines and equipment in the new quarters. Thus all attempts at radically reducing the administrative machinery never were fully successful. From 1934 to 1939 the ratio of staff to the work on hand remained practically stationary. Needs were increasingly filled by short-term appointments.

The last official mention of the rationalization scheme of 1932-33 appears in the *First Report of the Supervisory Commission to the 1939 Assembly*, dated May 31, 1939.<sup>16</sup> It states that the efforts which, in the past, had been concerned mainly with the office and clerical staff were now directed principally to the problems of Members of Section, whose total number had been reduced by thirty-one, in addition to posts previously abolished, and to the degrading of posts which had been temporarily vacant. The measures effected in 1938 and at the beginning of 1939 were possible only because of the mounting political crisis (the annexation of Austria and the Munich "settlement"). They cannot therefore be considered part of the general rationalization effort, but must rather be viewed as the first of the "retrenchment measures" fully described in another context.<sup>17</sup> The technical optimum of rationalization was by no means identical with the political optimum. Rationalization of the services was as closely linked with political considerations as most of the major administrative problems of the Secretariat.

In view of the permanent interplay of political factors it can be said, in conclusion, that the optimum of rationalization advisable and practicable cannot be measured in terms of figures. From the purely technical standpoint an optimum can only be reached by trial and error. It is by no means identical with a one hundred per cent utilization of the staff under the most effective system of division of labor. If savings brought about by ousting their nationals from the service alienates the good-will of governments, the material advantage becomes spurious. No sane administrator will attempt it. Moreover, at a certain point, rationalization leads to a slowing up of the whole machinery. Economy turns into a boomerang. Reduction of staff beyond a certain level robs the administration of elasticity, deprives it of any mobile effectives which can be used in cases of emergency work, and compels it to hire, on the open market and at greater cost, a less experienced and temporary staff. On one occasion when the size of the Political Section was criticized in the Fourth Committee, the Secretary-General replied that

<sup>16</sup> L.N. Document A.5.1939.X. <sup>17</sup> See chapter on "The Crisis," *infra*, pp. 373-77.

this Section, admittedly not fully occupied at all times, was the only mobile reserve at his disposal.<sup>18</sup>

Full employment of the whole staff, an impossibility in any administration, was less possible, and still less desirable, in the case of the Secretariat because of unpredictable elements in the League's work. An international incident, for instance, claiming immediate action, demanded priority of all services in order to deal with it. The whole administrative machinery would have been completely thrown out of gear without the existence of a reserve of officials and services capable of being used at a moment's notice.

In other respects, too, rationalization went beyond the limit ensuring efficiency of service. The reduction of the clerical staff permanently attached to the sections during the years 1933-34 and the simultaneous creation of "typing pools" on each floor resulted in a considerable reduction of posts. The service of the stenographers, formerly exclusively employed within sections and services, could now be fully utilized during the whole working day. On paper the new measure looked satisfactory enough. In practice it became a double-edged sword. Work in the sections was sometimes delayed because the "pools" were unable to supply help when needed most.<sup>19</sup> Instead of stenographers conversant with the character and terminology of the particular work of a section, clerks were supplied to whom in many instances everything had to be explained anew. The continuity of clerical assistance was destroyed. The new system robbed the sections of that potent element of efficient work, the personal loyalty to the immediate superior and the sharing in the feeling of responsibility for the success of the task in hand. Moreover, this arrangement, copied from business concerns and certain national administrations, did not sufficiently take into consideration the fact that a great proportion of the higher staff was neither French nor English by origin and was obliged to work in a foreign tongue. Clerks were expected to furnish editorial assistance and corrections as a matter of routine. Such collaboration presupposes mutual adaptation and continued association in a common work. A system based on perpetual change in clerical help could not meet these conditions. By separating the bulk of the clerical staff from the individual services the administration tended to destroy

<sup>18</sup> *Financial Questions; Report of the Fourth Committee to the Assembly*, L.N. Document A.84.1930.X., p. 2.

<sup>19</sup> The chief reason for this was the fact that the English and French *précis*-writing and translating services enjoyed a *de facto* priority in claims for stenographic assistance, which accounted for about 70 per cent of all typing requirements.

all interest in the work in hand by making robots out of collaborators. It robbed the administration of loyalties for which there was no longer any outlet. The resulting flight from Geneva of some of the members of these "pools" was the answer to measures aimed at mechanically increasing the individual output *per diem* in terms of typed copies. The saving was on paper, and resulted, in the final analysis, in waste of time and energy, especially where the higher staff was concerned. As to the clerical staff, the loss in morale was irreparable. Rationalization fired back and the administration found itself reluctantly compelled to revert increasingly to prerationalization practices and to reassign stenographers to individual services.

The story of rationalization at Geneva carries a lesson that should be seriously pondered by future international agencies. It is likely that they will be subjected, from inside and out, to the same kind of pressure for economy, and it is to be hoped that they will not yield to the temptation to sacrifice real efficiency to mechanical perfection.

## C. GENEVA AND THE WORLD

### CHAPTER XII

#### EXTERNAL RELATIONS

In its external relations international administration differs considerably from national administration. National administration, it is true, knows all the problems of communication with the outside world through correspondence and the liaison activities of some of its officials. Most governmental departments also have their public relations problems; in some cases the parallelism extends even to the establishment of branch offices. But problems which in this respect confront administrations on a national scale, are multiplied in the case of international administration and often assume a qualitatively different character because of the difference in the functions of an international secretariat as compared with those of national agencies. Even foreign offices and departments of state do not present comparable prototypes.

The different aspects of this question will now be dealt with in a number of short sections under the following headings: (1) Official Correspondence; (2) National League of Nations Services; (3) Liaison Activities of Officials; (4) Branch Offices; (5) Permanent Delegates; (6) "Radio Nations." A seventh aspect, — public relations involving the whole relationship of the League to the public opinion of the world, — in some respects more important than those here enumerated, will be treated separately in the next chapter, "Public Opinion and the International Center."<sup>1</sup>

#### I. OFFICIAL CORRESPONDENCE

The chief means of communication with the outside world is the outgoing and incoming official correspondence, the existence of telephonic, telegraphic, and radio communications notwithstanding. Official letters emanating from the International Secretariat conformed to the principles governing the diplomatic correspondence of foreign offices and departments of state. In sharp contrast to the diplomatic approach characteristic of the League Secretariat and in keeping with

<sup>1</sup> *Infra*, pp. 199-222.

the general concept underlying its work, the ILO developed a correspondence style of its own unprecedented in the dispatch of international relations. Mr. Edward J. Phelan, transcribing a well-established French term, defined these communications as "letters of principle." They originated from the Director of the ILO, M. Albert Thomas, and reflected the active rôle assigned by him to the ILO in its field of operation. These "letters of principle" set down carefully the duties which the government to whom the letter was addressed had undertaken under existing international compacts, and suggested to the government in question methods of implementing and fulfilling these duties in keeping with its obligations.<sup>2</sup> No letter of this kind will be found among the tens of thousands of official communications dispatched by the League Secretariat and preserved in the Registry of the League. The orthodox diplomatic approach governing the League Secretariat would never have permitted proffering advice to governments and infringing upon long-established rules and usages of official international intercourse.

Nevertheless, factors underlying the particular position in which the Secretariat found itself created of necessity a number of dissimilarities between ordinary diplomatic correspondence and that of the League, especially in technical respects. The first of such dissimilarities lay in the bilingual character of the Secretariat of the League,<sup>3</sup> each official of the administrative class having to handle correspondence in English and French. Official correspondence could not follow any nationally accepted pattern and style; the League had to create a style of its own. Moreover, most letters were required to be drafted in such a manner as to be "translatable" since they were sent out to different recipients in either of the two languages. Furthermore, they had to be conceived in such a way as to meet the purposes of the international center and at the same time of the receiving country. This was not always as easy as might appear at first sight. A style had to be developed which did not through its informality shock the chanceries still imbedded in age-old traditions nor appear stilted to those with a more democratic background; it had to steer between stiffness and informality. While being translatable, it must be good English or French.

The existence of a traditional diplomatic language familiar to all chanceries was helpful. But it could not be automatically utilized by the League, as it had become stereotyped and was inadequate for the

<sup>2</sup> Phelan, *Yes and Albert Thomas*, pp. 112-13.

<sup>3</sup> See chapter on "Principles and Structure of Organization," *supra*, pp. 96-97.

needs of a modern international agency. The subjects ranged from diplomatic communications properly speaking to intellectual problems, economics, statistics, health, transportation, traffic in women and children, and literally scores of other subjects.

Out of all these often contradictory requirements a particular League style emerged, neither in the best diplomatic tradition nor too business-like, neither over-formalistic nor informal, neither classical in its English or French nor grammatically faulty.

In the beginning little attention was paid to these aspects of the Secretariat's external relations. Common sense was the guiding principle. Each service had its own style dependent upon the personality of the head of the section and the greater or lesser importance he attributed personally to questions of etiquette. This state of affairs could not last. An attempt had to be made, sooner or later, to unify the rules and to make outgoing dispatches more uniform, if for no other reason than to facilitate matters for the majority of the officials whose mother tongue was neither French nor English.

The *Secretariat Office Rules*,<sup>4</sup> a purely internal though not confidential publication of not less than 143 pages, subdivided into 301 subsections, incorporates all the scattered regulations and rules developed and enacted in the course of years. Chapter VII, under ten different headings, contains specific instructions regarding official correspondence.<sup>5</sup> These rules, the fruit of trial and error, are an instructive if secondary aspect of the experience in international administration. Excerpts are given here because of the many valuable hints they contain for international administrators present and future:

Letters to governments shall be signed by the Secretary-General, but "unless for some special reason the signature of the Secretary-General would be more appropriate, replies to letters from Governments shall be signed by the competent Head of Section (if of the rank of Chief of Section or upwards)." In his absence an official of the rank of Counsellor may be authorized to sign as Acting Director or Chief of Section. "The Secretary-General shall be referred to in the first person and the words 'For the Secretary-General' . . . shall be inserted before the signature."

Letters other than those to governments shall be signed by the Secretary-General only "if there are special reasons of courtesy or appropriateness," otherwise by the competent Head of Section.

"The following communications shall be written in the third person:

<sup>4</sup> Geneva, 1936.

<sup>5</sup> *Ibid.*, pp. 64-69.

1. "Circular letters to the Members of the League;
2. Replies to communications in the third person;
3. Communications for which the third-person form is for some special reason appropriate."

"As a rule, replies to signed communications shall also be signed. Nevertheless, for political or other special reasons, it is sometimes justifiable to send in the third person a reply to a signed communication."

"Third-person communications shall be written in the name of the Secretary-General or other persons on whose behalf they are sent." "A reply to a communication written on behalf of an impersonal body (Legation, etc.) shall also be written in the name of the relevant League organ (Secretariat, etc.)."

"All official letters addressed to the Secretary-General shall be answered unless there are good reasons to the contrary." Among these reasons the following are *inter alia* listed: that the communication in question is itself an acknowledgment; that no sufficient address is given; that the writer appears to have an unbalanced mind; that it would be politically unwise to reply.

In certain cases of an ephemeral nature a set letter of acknowledgment shall be sent in the third person by the "Registrar of the Secretariat of the League of Nations" on the direction of the action Section. The paragraph referring to this contingency contains the following additional instructions: "In answering letters or in directing that their receipt be acknowledged by the Registry, the action Section shall ensure that no title implying a doubtful political claim is reproduced in the address or elsewhere." "When it is proposed that no reply be sent to a communication, a minute to that effect, together with the reasons of the proposal when necessary, shall be inserted in the file by an authorised official."

"Letters written expressly 'For the Secretary-General' or communications in his name engage his responsibility no less than letters signed by him. Sections shall therefore in doubtful cases submit such letters or communications to the Secretary-General."

Letters or communications prepared for the signature of the Secretary-General shall carry on the first carbon copy or on the draft the visa of the Head of the action Section.

A special subsection of the Office Rules deals with letters appointing a member of a committee. This letter shall, in addition to special information or explanations, inform him of the nature and duration of the appointment, forward documents and forms containing information (in cases in which the expenses are borne by the League), and contain a copy of the General Regulations on Committees.

"Letters on first-quality paper . . . shall be typed on both sides, and those on second-quality paper on one side only." Other subsidiary rules in this respect are *inter alia*: any secretarial letter

which is not strictly personal shall be marked with the Registry file in which a copy is kept. In addition to the original, two copies shall be made for the use of the Registry. "The name of the Organisation or Section of origin shall not be added to the heading of letters without special authorisation." In letters for signature by or for the Secretary-General the paragraphs shall be numbered, the number of the first paragraph being omitted. "The initials of the officials drafting or typing letters for signature or for the Secretary-General shall not appear on such letters."

The last section contains prescriptions regarding the type of paper used for the different kinds of letters.

These rules may seem over-elaborate and may appear to put correspondents into a strait-jacket; in practice they facilitated work considerably. They became second nature to all officials entrusted with the drafting of letters as one of their routine duties, i.e., practically all senior members of the First Division. Letters were sifted by the secretaries of section. The more important ones were rechecked for form and content by the Central Section,<sup>8</sup> which often returned even signed letters to the heads of sections with suggestions for alterations or with reference to some offense against etiquette which had been overlooked. Frequent trouble, for instance, arose from the use of the word "we" in a letter, which was considered a major lapse. Literally thousands of letters were returned to the sections or had to be rewritten in the stenographic pool because the dictating official or the typist had omitted in the formula of acknowledgement the article preceding the word "receipt."

## 2. NATIONAL LEAGUE OF NATIONS SERVICES

The existence of the International Secretariat at Geneva created a new problem in the foreign relations of the member States: the organization of their relationship to the new diplomatic center. Each State was free to organize its own end "of a two-way traffic" according to its own pleasure. The actual form this took was, therefore, varied, according to (a) the greater or lesser centralization characteristic of the national administration, (b) the degree to which the foreign activities of the different ministries and departments were traditionally centralized in a department of state or foreign office, and (c) the intensity of its relations with the League. A number of temporary factors also contributed: the interest a specific, often short-lived, government

<sup>8</sup> See chapter on "The Individual Administrative Units," *supra*, pp. 100-1. .

took in the activities at Geneva or the existence of some national personality identified in that country with Geneva activities.

The problem occupied the League from its very beginning. On June 19, 1920, the Secretary-General addressed to the members of the League a circular letter in which he pointed out that, as a rule, the Secretariat had addressed its correspondence to the respective heads of government and that no attempt had been made to send letters directly to particular ministries, even if it was clear from their contents that the subject-matter fell "within the sphere of that Ministry." Several members represented in the Council, he continued, had established an office "to act as a centre of distribution and coordination in regard to correspondence, reports, etc., received from and sent to the International Secretariat." This had not been done by all members of the Council and only by one or two members not represented on the Council. Pointing to the increasing number of documents, the Secretary-General asked the governments whether they would consider the establishment of special offices for this purpose. The suggestion was advanced that such offices might perhaps be best organized, in the case of governments not represented on the Council, through the intermediary of one of the Assembly delegates. It would be open to any government "so to organize the proposed office as to make it capable of acting as a secretariat for its delegation to the Assembly, both during the meeting of the Assembly and permanently, should it so desire."

This suggestion was clearly of an experimental character. It was based on the assumption that the first delegate to the Assembly would, in the case of the countries not represented on the Council — the overwhelming majority — be the pivot around whom national League activities would revolve and that he would be permanently or semi-permanently entrusted with the task. However, the evolution moved in a different direction. Assembly delegates changed from year to year and were often appointed at the last moment. Moreover, compliance with the Secretary-General's proposal would have meant in practice that unless the first delegate and the foreign minister were identical, a service outside the foreign office would act as the receiving and dispatching center of League communications. To this innovation traditions and reasons of expediency alike were opposed. Most countries desired to keep all foreign activities in their foreign office and did not want to depart from this practice.

Nevertheless, a good deal of confusion existed in the early days: Estonia, for instance, requested that League communications be ad-

dressed to the Delegation of the Estonian Republic to the Assembly of the League of Nations at Paris; Luxemburg charged the *Chargé d'Affaires* at Berne with this task. Subsequently, it became more and more the custom for the countries to create special League of Nations services in the foreign offices or to entrust an existing service with the liaison relations with the League. Rome soon established a national office for this purpose in its Foreign Office, and Paris followed suit by creating the "Service Français de la Société des Nations" at Paris. Czechoslovakia entrusted the legal service in the Ministry of Foreign Affairs with this function, and a League of Nations Section was created at the Foreign Office in London.

The maximum of centralization was achieved by the French Government, which created a major service within its foreign administration through which flowed the incoming and outgoing correspondence as through a lock. According to a very full description of the "Service Français de la Société des Nations" contained in the London Report,<sup>7</sup> this office was a full-fledged major division of the Quai d'Orsay, ranking with the geographical divisions of the French Ministry of Foreign Affairs. It correlated the views of the various ministries and technical departments on League activities, including the Permanent Court and the ILO, and drafted all communications to the League. Internally, the Service was organized into sections corresponding to the main permanent committees of the League, and consisted of about ten officials, excluding the secretarial staff. Its head held the rank of Minister Plenipotentiary and attended meetings of the Assembly as an assistant delegate and as Secretary-General of the French delegation. Delegates to conferences and members of committees reported to the Service before leaving Paris and on returning. They were in constant contact with it while in Geneva, and its representatives accompanied them as advisers.

This arrangement, which was considered by the London Report as "the most satisfactory arrangement for dealing with League affairs," was not, however, typical. It reflected the special importance which the League possessed in the eyes of those in charge of the affairs of the Third Republic. Most of the services established by other governments were smaller, less efficient, and did not constitute to the same degree the national pivot for relations with the League.

A word must be said, however, about the central service that was early established in Rome and that achieved under Fascism a less

<sup>7</sup> *Op. cit.*, p. 41.

praiseworthy reputation than the centralized service in democratic France. Centralization in Rome was used as a means of controlling every Italian collaborating with the League in one capacity or another. The Secretariat was finally not even allowed to communicate directly with Italian members on technical committees. Letters went first to the Italian Under Secretary-General's office within the Secretariat, who passed them on to the Foreign Office in Rome, which, in turn, transmitted them to the addressee.<sup>8</sup> Political consideration ran amuck.

The Italian arrangement was fortunately an exception. As a rule League communications of an official character were sent directly to the League of Nations service in the capital of the member State. In the case of some countries, especially overseas countries, one copy of each communication was sent to the Ministry of Foreign Affairs and one to the delegate under special arrangements. This was, for instance, the case with Bolivia, one copy of each communication being sent to La Paz, another to the delegate in Paris. In other cases the permanent delegation served as the channel through which all but urgent communications to the member States cleared. The Czechoslovak delegation at Geneva, for example, established a system which was in some respects considered the most practical and efficient method. This delegation received general League communications in duplicate, one copy for the Foreign Office at Prague and one for its own information. In the case of communications of a technical nature three copies were forwarded to the delegation, the third for direct transmission to the specialized governmental department interested in the question. This safeguarded the prerogative of the Foreign Office while at the same time preventing delays. As a rule, however, communications of a technical character cleared through the foreign offices.

This centralization of communication with the International Secretariat in the foreign offices or in special League of Nations services did not exclude other contacts, apart from extreme cases of the Italian type which were fortunately exceptional. As a rule the centralized services held the monopoly for strictly official communications only. Personal and semiofficial communications were exchanged directly between members of the Secretariat and members of technical committees. Often quite important questions were treated in this manner. The exchange of views between chairmen and *rapporteurs* and the corresponding services of the Secretariat was an accepted and in some

<sup>8</sup> *Proceedings of the Exploratory Conference on the Experience of the League of Nations Secretariat, op. cit.*

ways vitally important practice. No attempt was made either within the Secretariat or by most of the member States to interfere with these semiofficial direct contacts.

This raises the question whether the whole concept of centralizing all the communications and contacts with the League in one service and locating this service within the foreign ministries was practicable and sound in principle. Traditions favored such an arrangement and its advantages are obvious: it gives the foreign offices an over-all view and control of the manifold contacts with the international centers and prevents any separate international policy being pursued by any individual service in its relations with the League; it also facilitates, technically, the work of the international center by relieving the latter of the necessity of having to decide for itself whether communications ought to be addressed to the foreign office or to any special national agency. The disadvantages of this system, however, are not less obvious: it impedes the collaboration of the international services with their corresponding specialized national departments; it tends to make the collaboration impersonal; and, finally, it encourages control over these activities by foreign offices and departments of state, temperamentally opposed to boldness. The consequence was that it frequently discouraged any constructive or more daring policy which specialized national departments might have been prepared to initiate or to back in their respective spheres of action.

Fortunately, realities proved stronger in practice than traditions. Some of the technical services of the League were entitled or permitted to communicate directly with the corresponding national services. This was, for instance, the case with the Communications and Transit Section, which had official contacts with certain national services in the field of its activities.

Adaptation of the national governments to the needs and necessities of the growing international activities was in the interwar era still in an experimental stage. The foreign offices were still entrusted with more or less exclusive control over all foreign activities of their countries. But this control became more and more difficult as the international activities in the non-political fields increased. Moreover, strong forces within the individual countries and without were opposed to this centralized control by diplomatic agencies. When World War II broke out the outcome of this struggle was still undecided. It may be assumed, however, that rigid control by foreign offices will give way in the future to a more elastic policy better adapted to the needs of the

expanding international activities in the technical field. Foreign offices and departments of state will certainly retain an over-all control and a coordinating function, but wartime developments which have allowed individual departments in many countries to operate semi-independently in their own field will probably not be lost altogether. It can be expected that there will be decentralization, allowing for increasingly direct communications between the international center or centers and the specialized departments and ministries of the member States. This is the more likely as the intensity and the number of these international activities, especially in the economic, social, and humanitarian fields, will tend to make centralization almost impossible without prejudice to the agreed purposes of these agencies.

### 3. LIAISON ACTIVITIES OF OFFICIALS

Liaison is not one of the major problems facing national departments. To the League, established far away from most capitals of the member States, the need for liaison and its organization remained from the beginning and all through the years of its active existence a permanent, delicate problem that was never fully satisfactorily solved.

#### A. WITH NATIONAL AUTHORITIES

The bulk of liaison that was effected was not due to any initiative on the part of the Secretariat but rather to the initiative of the member States themselves, whose delegates, experts, and officials entered into touch with the various services at Geneva during League meetings. There remained, however, liaison tasks which the League itself had to undertake. It had been assumed <sup>9</sup> in the beginning that the Secretary-General would act personally as the chief liaison agent and that he would constantly visit the capitals of the member States. The reasons that prevented this development have already been fully explained. In contrast to the Directors of the ILO,<sup>10</sup> both Secretaries-General disliked official journeys with their display of protocol. Both were overwhelmed with the day-to-day work at headquarters, and their position under the League constitution did not encourage a delegation of the bulk of the administrative work. Liaison activities were therefore chiefly carried out by officials of the First Division sent on missions

<sup>9</sup> See, for example, Noblemaire Report, p. 13

<sup>10</sup> Evidence may be found in Phelan, *Yes and Albert Thomas, op. cit.*, and in Harold B. Butler, *The Lost Peace; A Personal Impression* (London: Faber and Faber, Limited, 1941).

for the purpose, or they were undertaken by them as a side line while on some special technical mission or even on annual leave at home. Accidental factors, particular ability shown in a specific case, broad contacts with top politicians or administrators at home or elsewhere influenced the selection for these duties.

Officials were often entrusted with diplomatic missions outside the ordinary scope of their work. The Director of the Transit Section, for instance, went to China in 1932 at the request of the Chinese Government to help in the organization of the National Chinese Reconstruction Commission, and a member of the Health Section was sent in the same year to Liberia, in agreement with the government of that country. After his arrival he was called upon to assist in the pacification of the Kroo tribes. For less spectacular missions members of the Political and Information Sections were particularly favored. The Geneva policy was to entrust as many officials as possible with liaison activities rather than to create a distinct class of liaison specialists. This was due to the desire to give as many higher officials as possible the chance to renew contacts with national policies and movements at home, but it was also dictated by the fear that permanent liaison functions might endanger the international loyalty of the officials to whom these tasks had been entrusted.

The organization of liaison activities remained casual and was never standardized. The London Report,<sup>11</sup> which devotes considerable space to this question, favors the League practice and expresses itself against the idea of creating a special class of liaison agents within an international center.

In keeping with its general policy, the League administration was sometimes cautious to the point of timidity in its liaison operations. Everything was avoided which could possibly be construed as an attempt at putting governments under any kind of pressure or reminding them of the duties which they had accepted by adopting the League Covenant.<sup>12</sup> The policy of the Secretariat, in this respect, differed diametrically from that of the ILO.

#### B. WITH INTERNATIONAL BODIES

The existence of other international agencies, independent of the League or autonomous within the League system, created special prob-

<sup>11</sup> *Op. cit.*, pp. 34-36.

<sup>12</sup> Some exceptions to the general rule are described in the chapter on "The Rôle of the Secretariat in League Policies," *infra*, pp. 398-99.

lems of liaison somewhat different from those raised by liaison with governments.

Liaison with autonomous or semi-autonomous League bodies like the ILO, the Permanent Court, the International Institute of Intellectual Cooperation, the Educational Cinematographic Institute, the Nansen International Office for Refugees, the International Institute for the Unification of Private Law, and the International Centre for Research on Leprosy was chiefly established through the personal contacts of the directors of these bodies with the Secretaries-General and their representatives or substitutes on the occasion of the annual assembly of the League or on the occasion of meetings of their policy-shaping committees (e.g., International Committee on Intellectual Cooperation) or governing bodies (e.g., International Institute of Intellectual Cooperation). Moreover, officials of the League attended meetings of these autonomous bodies either as representatives of the Secretary-General or in their expert capacity, and *vice versa*. A member of the staff of the ILO attended as an expert the sessions of the Mandates Committee; a high official of the ILO was present at the sessions of the Advisory Committee on Social Questions, and members of the Secretariat attended meetings of committees of the ILO, particularly those dealing with questions of migration and nutrition.

Liaison with international institutions operating independently of the League was effected in different ways and was as little stereotyped as the liaison work with governments described above. There was routine liaison between the Secretariat and the international organizations which had placed themselves under the authority of the League under Article XXIV of the Covenant. It consisted chiefly in the dispatch of a League official to the sessions of their governing bodies or to some of their major assemblies.

There was little liaison with the old established international agencies of the type of the Universal Postal Union or the Telecommunications Union which had refused to subject themselves to the control of the League. Liaison with the Pan American Union was practically nil during the first ten years of the League's existence. It took many years before ways and means of establishing mere correspondence between the secretariats of the League and the Pan American Union could be found.<sup>13</sup> Some Latin American members of the International Secretariat attended Pan American Conferences without being formally accredited

<sup>13</sup> *Proceedings of the Exploratory Conference on the Experience of the League of Nations Secretariat, op. cit.*

— as what might be termed semiprivate observers. The relations with the International Institute of Agriculture at Rome were chiefly technical — the Economic Intelligence Service relied on them for certain agricultural statistics. This was practically all the liaison that existed. The problems raised for the health work of the League by the existence of the International Health Institute at Paris have been touched upon in another context.<sup>14</sup> In later years the respective zones of action were clearly established without any close relationship ever being effected.

The character of the difficulties encountered and the disadvantages accruing to international activities in the interwar period as a result of the insufficient liaison established between the League and the independent international agencies, suggests that the remedy lies not in the organization and quality of liaison proper but in the basic relationship of these bodies to the general international organization. At the bottom of all these difficulties was and remained up to the outbreak of World War II the initial failure of implementing the stipulations of Article XXIV of the Covenant.<sup>15</sup> Coordination, not centralization, is the way out if similar developments are to be prevented. This applies to almost all the international agencies mentioned, with the exception of the Pan American Union, which is a regional supranational agency *sui generis* and which will, in all probability, desire to remain outside any general international organization of the future and will be allowed to do so.

#### 4. BRANCH OFFICES

The League in the course of years established a number of outposts. Most of these branch offices and correspondents were auxiliaries of the Information Section and served in a subsidiary capacity. In 1930, five liaison offices were in existence, established in the capitals of the permanent members of the Council — in Berlin, London, Paris, Rome, and Tokyo. Their staffs were small and held short-time contracts. Only the head of the London office happened to be a full-fledged member of the First Division. In addition to these offices, correspondents without bureaux were appointed to serve in such countries as Hungary, the Netherlands, China, and Turkey. The correspondent for Turkey was stationed at Geneva. The status of these persons, titled "Correspondents of the Secretariat of the League of Nations," was officially defined as follows: "Correspondents shall be regarded as external collaborators,

<sup>14</sup> See chapter on "The Individual Administrative Units," *supra*, p. 120.

<sup>15</sup> See chapter on "Principles and Structure of Organization," *supra*, pp. 83-85.

and not as officials of the League of Nations."<sup>16</sup> They neither enjoyed the privileges of League officials nor were they fully subject to the Staff Regulations. Administratively, much can be said in favor of this arrangement. Psychologically, it was a mistake and at times led to paradoxical situations. Officials at headquarters who could easily be supervised anyhow were bound by strict, even over-strict, rules in their dealings with the outside world, but persons who could hardly be superintended because they operated far away from Geneva and were locally considered the exponents of the League were not subject to the stipulations of the Staff Regulations.

By 1938, the Berlin and Tokyo offices had been dissolved. The latter office was replaced by a correspondent. The offices of most of the other correspondents were discontinued, partly as a measure of economy, partly because of the small benefit the League derived from these arrangements. In contrast to the ILO, the Secretariat never established a branch office in the United States. However, one of the League officials, raised to the rank of Director in later years, handled the liaison with the United States. This arrangement worked more satisfactorily than most of the branch offices. There existed in addition a small economic service in London which formed part of the Financial Section and Economic Intelligence Service. It shared its offices with the London branch office but was not administratively linked with it. This service was a remainder of the Economic Services of the League originally established in London.

Apart from the outposts of the Information Section, another set of correspondents was appointed in Latin American countries, originally depending upon the Bureau for Liaison with Latin America established within the Secretariat under a Panamanian chief. Correspondents were maintained in the following countries: El Salvador, Bolivia, Dominican Republic, Paraguay, Colombia, and Chile (1930). In 1937, the *Special Liaison Service* with Latin America was discontinued and these correspondents worked under the general direction of the Deputy Secretary-General charged with "liaison with States Members." The correspondents in El Salvador, the Dominican Republic, and Paraguay<sup>17</sup> were dropped while a correspondent in Mexico was added. Two correspondents in India, independent of the Information Section, were also appointed. In contrast to the outposts of the Information Section,

<sup>16</sup> See "Correspondents; Model Rules of Engagement," in *Second Report of the Supervisory Commission to the Assembly of 1936*, L.N. Document A.5 (a). 1936. X., p. 7.

<sup>17</sup> Paraguay had by then given notice of her intention to withdraw from the League, but her position had remained indeterminate.

these correspondents were not public relations officers of the League but liaison officers. Their main task consisted in developing contacts with the Latin States of America and India, respectively.<sup>18</sup>

Taken as a whole these external activities of the League never constituted a major feature of the administration. They were reluctantly initiated; their growth and evolution was somewhat haphazard. In contrast to the ILO, they were never considered an important element in the mechanism of the League. Albert Thomas established branch offices early. He considered them as in the nature of mission outposts abroad and expressed the opinion that "*the very life of the Office depends*"<sup>19</sup> on the success of this type of service. These outposts of the ILO never assumed the importance desired by its director, but they were fully integrated into the activities of the organization and were charged not only with public relations tasks but also with other important work. The League authorities, on the other hand, never attributed more than secondary importance to the branch offices. Everything was avoided that could give the impression that these offices and services outside the international Center were a kind of legation or embassy of the League. It was feared that the establishment of diplomatic outposts might create the impression that Geneva considered itself a sovereign body,<sup>20</sup> and that any advantage accruing from such "missions" would be offset by the suspicion aroused by their existence. Moreover, the Secretaries-General were apprehensive lest diplomatically active outposts might diminish the importance of the international clearing-house at Geneva and induce governments to transact business of and with the League in their own capitals. This might, it was thought in Geneva, create a danger to the whole concept of international cooperation as established by the Covenant.

The branch offices that were established were therefore public relations offices pure and simple. Diplomatic activities on their part were severely discouraged. The heads of these offices were hardly ever entrusted with political liaison work; they never served as intermediaries between the Center and the foreign offices.

The situation in Latin America was considered somewhat different

<sup>18</sup> See Morley, *op. cit.*, p. 271.

<sup>19</sup> Phelan, *Yes and Albert Thomas*, p. 41. (Italics in original.)

<sup>20</sup> The question of the League's *jus legationis* has been answered in the affirmative by Messrs. Schücking and Wehberg (*Die Satzung des Volkerbundes*) as follows: "The League of Nations has the right to send and to receive ambassadors, as has been the case heretofore with all leagues of States in history, even though the statute of the League of Nations says nothing concerning this right." Quoted by Morley, *op. cit.*, p. 272.

and it was felt that there political liaison officers might serve some useful purpose. The danger in that area was not a weakening of the authority of the Center but lack of interest in the League. In many of these American countries the League was not a living thing but a far-away organization. Moreover, the heavy expenditures and the great loss of time involved in sending delegations to Geneva induced these governments to resort increasingly to dispatching their Paris and Berne envoys to the Geneva meetings.<sup>21</sup> These League outposts were therefore considered useful for keeping the existence and activities of the League permanently under the eyes of the Latin American peoples and governments. The urgency for so doing was increased by the unmistakable tendency of these countries to drift away from the League. Moreover, it was felt by the administration that it was useful to have a reservoir of men in these countries from which the League could draw for its future personnel or which would supply Latin American politics and administration with persons familiar with the technique and work of the League. The gradual abolition of these Latin-American outposts, as well as the unwillingness to grant these representatives of the League the rank which would have given them semidiplomatic status proves, however, that this whole venture was half-heartedly conceived. It is not surprising, under such circumstances, that these correspondents never became really useful to the League.

Whether a future international organization will change its policy in this respect and give more weight and prestige to its outposts will, as the London Report states,<sup>22</sup> depend upon the basic structure of the international organization as a whole.

## 5. PERMANENT DELEGATES

A growing number of States established permanent delegations to the League. Their principal though by no means exclusive task was to keep the sending States continuously informed of the activities of the League, especially of those in the interim periods between major League meet-

<sup>21</sup> F. P. Walters, in his lecture on *Administrative Problems of International Organization* (*op. cit.*), shows great concern regarding the practice followed by distant countries of making their permanent (Geneva) delegates what might be described as universal representatives of their countries on the most varied committees dealing with subjects concerning which the delegate could not possibly claim expert knowledge. He therefore strongly advocated that the budget of the international agency should be made to bear the traveling costs of all members. Mr. Walter's opinion was accepted by the group of former officials responsible for the London Report (*The International Secretariat of the Future*), which recommends that the traveling expenditures of all delegates should be part of the general expenses of the international agency of the future.

<sup>22</sup> *Op. cit.*, p. 42.

ings. There was, however — apart from their different position under international law — one major difference between their functions and those fulfilled by ordinary diplomatic envoys. The envoy has two equally important duties: to report home and to represent his own country in the receiving capital. The permanent delegates and representatives at Geneva performed the first function, but they were hardly allowed to represent their countries in a general manner before the League. More will be said on this point later.

Most of these representatives resided in Geneva, but some had their abode elsewhere. They held different ranks. From consul to ambassador, all ranks could be found at one time or another. The size of their staffs varied considerably.

Professor Pitman B. Potter, who has devoted a special study to this institution,<sup>23</sup> enumerates forty-three "Permanent National Agents for Liaison with the League of Nations."<sup>24</sup> About thirty-four may properly be called permanent delegates or representatives to the League.

These permanent national agents may be classified into three categories: (a) permanent delegates and representatives properly speaking; (b) diplomatic or consular officers charged with this task in addition to their diplomatic or consular duties; (c) consular establishments of non-member States entrusted with liaison work with the League.

(a) Most of the permanent delegates and representatives properly speaking had their residence at Geneva. In the absence of any accepted official terminology they were styled:

Permanent Delegate of . . . . . near the League of Nations;  
Permanent Secretariat near the League of Nations; . . . . . Legation near the League of Nations; Observer at the League of Nations; Accredited representative of . . . . . to the League of Nations; . . . . . Advisory Officer, League of Nations; Representative of . . . . . to the League of Nations, and half a dozen similar labels, reflecting their undefined position under international law and the unwillingness of the League to unify the terminology.

According to Professor Potter, all delegations were appointed by the chief executive or foreign minister of the home State. "Special establishments in Geneva vary from the one-man post, with or without a

<sup>23</sup> Pitman B. Potter, *Permanent Delegations to the League of Nations*, Geneva Special Studies, Vol. I, No. 8, 1930 (Geneva: League of Nations Association of the U.S.), at pp. 11-13.

<sup>24</sup> In 1930, fifteen of these permanent delegates were simultaneously accredited to the ILO. In addition, three states (Japan, Peru, and Sweden) possessed special permanent delegates accredited to the ILO. A number of diplomatic and consular representatives were also charged with liaison with the ILO.

clerk, to the rather elaborate establishment with a minister — if not an ambassador — in charge, a counsellor who occasionally acts as *chargé d'affaires*, several secretaries and clerks, and even attachés for the Labor Office and the press!"<sup>25</sup> In practice the situation was even more complicated. The one-man representative sometimes held the rank of minister while the elaborate establishment may have been under the direction of a consul.

The diplomatic status of the permanent delegates who were not at the same time accredited representatives of their countries to Switzerland created a number of complicated problems. Viewed from the standpoint of international law or diplomatic usage their existence was a novelty. When diplomatic status was first requested for them, the Swiss authorities, according to Mr. C. Howard-Ellis, "pointed out with perfect justice that there is no such thing in international law as representatives accredited to the League of Nations, and that the only diplomatic representatives they could recognize in Switzerland were such as were accredited to the Swiss Government."<sup>26</sup> The Swiss Government, always ready to meet unorthodox needs of the League, solved the problem by granting diplomatic rights and immunities to permanent delegates wherever normal diplomatic relations were established between the two countries, through the following compromise: the position of the permanent delegates and their staffs was "assimilated" to that of the higher officials of the Secretariat; they were automatically granted diplomatic status.

(b) Some countries combined the post of consul at Geneva or minister to Berne with the function of permanent delegate. The fact that the envoys accredited at Berne were not always quite fully occupied, in normal times especially, and in the case of secondary powers, suggested to some foreign offices the idea of combining the post of permanent delegate with that of envoy at Berne. In these cases, Swiss authorities, jealous of the preservation of Berne as the diplomatic capital of Switzerland, insisted that persons holding such twofold functions should spend at least half of their time at Berne. The promise, according to this writer's personal observation, was given, as the existence of these ambulant representatives proved, but it was not always kept. Geneva retained them for more than the statutory six months. In one or two freak cases the "permanent" representation at Geneva combined a multiple *agrégation* in different capitals including Berne, with that of permanent delegate near the League.

<sup>25</sup> Potter, *ibid.*, pp. 8-9.

<sup>26</sup> Howard-Ellis, *op. cit.*, p. 168.

There was, however, one rather puzzling arrangement: for some time Brazil appointed an ambassador as permanent delegate who outranked in his personal capacity the Brazilian envoy to Berne, who held the rank of minister plenipotentiary. The ambassador in question constituted a special case for the additional reason that he was the highest ranking delegate but did not maintain an office at Geneva at all. Two ministers were for some time appointed as his assistants.

(c) The establishment of *de facto* delegations to the League, whatever their official name, on the part of countries that were not members of the League, was a particularly interesting development. Mexico prior to joining the League styled her representative "Observer." In other cases the Geneva consulates acted as permanent delegations. The German consulate at Geneva, for example, served in this capacity prior to Germany's joining the League, and certain precarious contacts with the League, especially in the drug field, were upheld through the consul at Geneva after the withdrawal of Germany from the League.

The United States consulate, on the other hand, was for twenty years not only an American observation post but fulfilled innumerable liaison functions necessitated by the growing cooperation of the United States in the economic, social, and humanitarian fields. The manner in which the relations between the United States and the League of Nations at Geneva were conducted was jokingly but not unjustly characterized by a former international official as "a model non-relationship."<sup>27</sup>

In the Geneva experience advantages and disadvantages of this institution seemed to hold the balance. Periods in which the International Secretariat viewed it with more friendly eyes alternated with times in which the Secretariat took a more negative attitude. The first Secretary-General never really reconciled himself to the existence of these representations to the League. To him who had grown up in the diplomatic tradition, their existence was something hybrid. His apprehension was, however, chiefly caused by the growth of these permanent special delegations to the League, which he felt might impede direct communication of the international center with the governments, a matter of paramount importance to him.<sup>28</sup> The Secretariat never encouraged the setting up of new permanent delegations on the part of governments at Geneva. On the contrary, Sir Eric Drummond prevailed upon the British Government not to establish a permanent

<sup>27</sup> *Proceedings of the Exploratory Conference on the Experience of the League of Nations Secretariat*, op. cit.

<sup>28</sup> *Ibid.*

British representation at Geneva. Moreover he, and likewise his successor, strove to discourage everything which could create the impression in the capitals of the member States that the League Secretariat was attempting to establish a sort of sovereignty of its own by usage and precedents. There was therefore no formal reception of these agents, nor any reciprocity of mission on the part of the League.<sup>29</sup> In addition, the Secretaries-General discouraged any collective official steps on the part of these delegations, and tried without success to prevent them from forming a collective organization on the pattern of the *corps diplomatique* established in the capitals.

Considering the experience with these permanent national agents as a whole, the London Report formulates the advantages accruing from this institution to the League action as follows:

They provide a constant and mutually beneficial contact at the centre between Governments and the organization. Even as between member States, they may establish relations which supplement those of ordinary diplomacy. They may in the course of time build up a group of competent persons who can usually be relied upon to support the organization in their own countries. They assure the presence of at least some one of a certain importance to represent the country when special delegates are unable to be present. Finally, permanent delegations, familiar with procedure at the centre, can give valuable assistance to other representatives when they attend meetings of the political organ or of standing and special committees.<sup>30</sup>

To this must be added the services these permanent representatives rendered as media for unofficial contacts in the preparation of governmental action and in the preliminary coordination of action between their governments and the League. Innumerable personal contacts between these delegates and officials developed and this permitted them in many cases to supply their capitals with well-documented surveys of specialized questions, etc. The disadvantages arose chiefly from the tendency on the part of their governments to use these delegates as Jacks-of-all-trades in order to save the expense of sending special delegates to Geneva.

The contacts between the Secretariat and the individual permanent representatives were never systematized in the past and this probably was in the mutual interest. But the London Report suggests that —

If permanent delegations are maintained, the international service must organize its relations with them on a systematic basis. A member of the high di-

<sup>29</sup> Potter, *Permanent Delegations to the League of Nations*, p. 5. See also the preceding section, "Branch Offices," *supra*, p. 189.

<sup>30</sup> *Op. cit.*, pp. 39-40.

rectorate should be specially charged with the duty of assisting them and of facilitating their contacts with officials.<sup>21</sup>

The future existence of permanent delegations to the headquarters of the international agency will largely depend upon the function and power of the future international organization, and will probably remain restricted to delegations at the *political* center. Attachés, however, may exercise similar functions in regard to functional agencies. This question, together with many similar ones, cannot be satisfactorily answered in the light of past experience until the shape of things to come has actually crystallized. It is likely that national representation at the seat of the future political agency will come to be considered as natural and beneficial, especially in view of the fact, underlined in the London Report, that development of air transport will probably facilitate the dispatch of delegates and experts to the international center and therefore eliminate the only serious objection against the institution of permanent delegations, namely, their indiscriminate assignment to all sorts of committees and tasks for which they do not possess sufficient authority and expert knowledge. While the whole institution is in abeyance today, it is likely that it has come to stay as a permanent feature of international administration.<sup>21a</sup>

## 6. "RADIO-NATIONS"

It had been apparent for some time that the creation of a League radio station would give the Secretariat an important instrument for the dispatch of its foreign relations, especially in times of emergency.

After protracted negotiations and many delays, Radio-Nations, the wireless station of the League, was inaugurated on February 2, 1932. The "Agreement between the Swiss Federal Council and the Secretary-General of the League of Nations concerning the Establishment and

<sup>21</sup> London Report, p. 40.

<sup>21a</sup> The Proposals for the Establishment of a General International Organization adopted at Dumbarton Oaks contain in Chapter VI, Section D, as one of the steps to be taken in order to enable the Security Council to function continuously, the stipulation that "each state member of the Security Council should be permanently represented at the headquarters of the organization." This reflects a reversal in the attitude taken in the past by the major powers. It suggests that the permanent members of the Council will not only be represented continuously by diplomatic missions at the international headquarters but that the major powers also attribute to these permanent representatives an important political and diplomatic rôle in the day-to-day activities of the future General International Organization.

operation in the Neighbourhood of Geneva of a Wireless Station,"<sup>32</sup> signed at Geneva, May 21, 1930, stated that the radio station was "destined chiefly to meet the needs of the League of Nations in normal times and to ensure independent communications to the League in times of emergency." Article 1 stipulates that Radio-Nations shall be operated in normal times by the Société Radio-Suisse and "in times of emergency shall pass under the exclusive management of the League." According to Article 3, "the legal status of the station in times of emergency shall be the same as that of the buildings of the League of Nations." Under Article 5, the staff of the station is placed during the emergency at the disposal of the Secretary-General "and shall be regarded as League of Nations Secretariat staff." In times of emergency the station "shall be primarily intended for the despatch and receipt of official communications of the League of Nations" (Article 7). From the context it is clearly evident that such messages are to be free from all measures of control which may at that time exist in Switzerland. Article 9 gives the Swiss Government the right to "be represented at the station by an observer"; it further provides that the Secretary-General shall "refrain from transmitting through the station any communication of a nature to affect the régime of the neutrality of Switzerland."<sup>33</sup>

Radio-Nations consisted of one long-wave transmitter for telegraphic traffic and two short-wave transmitters for radiotelephony and broadcasting. The League used the station for official communications with overseas governments by means of the short-wave transmitters and in Europe by means of the long-wave transmitter.<sup>34</sup>

Soon after its establishment, Radio-Nations rendered valuable services to the League. During the Manchurian conflict and the conflicts between Bolivia and Paraguay and Columbia and Peru, it made possible the maintenance of direct and independent contact between the bodies of the League and the missions they had sent to the spot. The

<sup>32</sup> L.N. Document C.191.M.91.1930.VIII.; Hudson, *International Legislation*, Vol. V, pp. 494-501.

The term "times of emergency" was defined by the responsible authorities of the League in 1930, as a state of affairs "occurring whenever, owing to a political situation, Governments were obliged to adopt measures modifying the working of the normal means of communication." *Report on the Work of the League since the Fifteenth Session of the Assembly, Part I*, L.N. Document A.6.1935., p. 83.

<sup>33</sup> A separate convention between the Secretary-General and the Radio-Suisse, Incorporated Wireless Telegraph and Telephone Company, Berne, signed at Geneva, May 21, 1930, implemented the agreement between the Swiss Government and the League in technical respects. L.N. Document C.192.M.92.1930.VIII.; Hudson, *International Legislation*, Vol. V, pp. 501-16.

<sup>34</sup> *Essential Facts about the League of Nations*, p. 315.

existence of the station also facilitated the rapid working of the League procedure. Important and urgent documents were transmitted to distant countries by wireless telegraphy, and the delegations of non-European countries at Geneva were able to keep in touch with public opinion at home.<sup>35</sup> Apart from official messages, use was made of the facilities of the station by the Information Section for the broadcasting of weekly telegraphic circulars and for broadcasts overseas.<sup>36</sup>

Important as these activities were from the point of view of the League's external relations and from the point of view of contact with public opinion, especially in overseas countries (English-speaking and Spanish), the chief motivating factor for the establishment of Radio-Nations lay in the use the Secretariat expected to make of it in times of emergency. Radio-Nations was created in order to make the international headquarters independent of the expected disruption of international communications in a crisis, to safeguard League communications from national censorship, and to enable the Secretary-General to get and remain in touch with the member States in any contingency. In such a situation Radio-Nations was expected to become and to remain the chief instrument by means of which the work of the League could be continued. The charter documents of the radio station provided therefore that in times of emergency the whole station was to pass under the exclusive administration of the League. Its central telegraph office, normally located in the city of Geneva, was to be transferred to the headquarters of the League.

When the crisis actually occurred these plans were not executed. Diplomatic action preceding the outbreak of the conflict had almost entirely by-passed the League. Moreover, the character of ensuing developments made the use of the radio station by the League a danger to the security of Switzerland. In a letter dated February 13, 1939, the Swiss Federal Council requested that the agreement be revised, and in a letter dated January 27, 1940, the Swiss Federal Political Department informed the Secretary-General of the Federal Council's decision to denounce the agreement with effect as from February 2, 1942. At the same time the Swiss Government informed the Secretary-General of its readiness to discuss new arrangements. A suggestion made by the Secretary-General which would have allowed the agreement of 1930 to continue in force for some time was rejected by the Federal Council. Radio-Nations became the property of Radio-Suisse, which took over

<sup>35</sup> *Report on the Work of the League since the Thirteenth Session of the Assembly*, L.N. Document A.6.1933.

<sup>36</sup> See chapter on "Public Opinion and the International Center," *infra*, p. 206.

the station at market value. Radio-Nations ceased to operate as a League of Nations station on February 1, 1942, exactly ten years after its coming into existence. The attempt to secure for the international headquarters an independent means of communication with the outside world in times of crisis failed at the very time for which costly and elaborate provisions had been made.

The story of Radio-Nations conveys one of the most important lessons in the experience in international administration. It proves that provisions based on the concept of mere inviolability of grounds and premises are an insufficient guaranty for the unimpeded maintenance of the external relations of an international agency in times of emergency.

## CHAPTER XIII

### PUBLIC OPINION AND THE INTERNATIONAL CENTER

#### I. THE SECRETARIAT AND THE MAN IN THE STREET

Public opinion of the world followed the activities of the League in changing degrees, with varying intensity and in a different spirit in different countries. As long as liberty of the press prevailed in most countries, there was everywhere, even in countries which were strongly in favor of the League, an anti-League wing of public opinion. In the countries most averse to the League system there were groups strongly and often religiously fighting for the League idea. These differences of opinion cut obliquely through member- and non-member States. In the United States, which never belonged to the League, public opinion was fairer to the Geneva activities in the thirties than German public opinion during the time of Germany's most active cooperation at Geneva.

Public interest naturally centered on the League's political activities, and to a lesser extent on the bewildering variety of its technical activities. The great political issues discussed at Geneva found a world-wide echo in the press, the radio, and in parliamentary debates. Questions of regional interest were followed with passionate interest in one part of the world and might not even be recorded in other parts. Technical activities in the economic field were universally followed, but interest in the social and humanitarian activities, excepting those of the health organization and refugee questions, was practically restricted to Anglo-Saxon countries as far as the daily press was concerned.

The international administrative machinery itself received comparatively little attention in most countries. Few people were aware of the significance of the unique experiment in international administration conducted at Geneva. This was due not only to a general lack of interest in administrative questions on the part of the great mass of the reading and listening public, but also because of the lack of dramatic appeal of a machinery which seemed to function with effortless smoothness. The effort made by the administration itself to remain

anonymous also contributed. With the head of the international administration sitting silently throughout the debates, the officials shunning publicity, and no technical breakdown ever occurring, little happened that could make the Secretariat exciting to a public thousands of miles away. Any attention aroused by the administration usually consisted in the recognition of the unique efficiency of the Geneva staff in running international gatherings, and of the speed with which documents were produced, translated, distributed, and made available to delegates and the public. Everybody took it for granted that the printed minutes of meetings were available to delegates the following morning at breakfast time, and accepted the fact that timetables were religiously adhered to under the most trying circumstances as if this were the most natural thing in the world.

Yet while public opinion in the world as a whole was hardly aware of the existence and the importance of the international center, considerable attention was given to the Secretariat in countries critical of or inimical to the League. This found expression in a tendency to overrate the influence of the Secretariat upon League politics.<sup>1</sup> It amounted sometimes to an unintentional compliment paid to the Secretariat, which was accused of far-flung intrigues and diabolical scheming. Whether this interest in internal Geneva matters on the part of a few and the lack of interest on the part of the majority constituted an altogether happy circumstance may be questioned. The great masses of the world never became actually aware of the existence of this unique experiment in international administration, and the broader lessons it contained for humanity were practically lost.

Early in the history of the League, meetings were frequently held in the different capitals of the world. A number of important sessions took place in Rome, Brussels, and Madrid. But reasons of economy and the growing inclination to concentrate everything at headquarters led increasingly to the abandonment of this practice. As Mr. F. P. Walters pointed out

Governments were more than ready to issue invitations and provide facilities, but under the League's financial regulations the inviting Government was called upon to pay the whole extra cost involved by holding the meeting outside Geneva. The result was of course that outside meetings were rare: yet when they took place their educative value was evident, alike for the inviting country, the other Delegates and the Secretariat. Here, too, it will certainly be wise to adopt a more liberal policy in future.<sup>2</sup>

<sup>1</sup> See chapter on "The Rôle of the Secretariat in League Policies," *infra*, p. 393.

<sup>2</sup> Walters, *op. cit.*, pp. 13-14.

Considerations of economy and of technical efficiency prevailed over major political and psychological considerations. The international machinery and its servants remained thus comparatively unknown and the League deprived itself of a unique possibility of familiarizing the governments with its work, of reaching, in a perfectly legitimate manner, the peoples over the heads of their governments, and of making the efforts of international cooperation visible and audible to millions all over the world.

## 2. THE INFORMATION SECTION — KEY TO THE LEAGUE'S PUBLIC RELATIONS

In no other respect did the creation of the League mark a more complete break with habits of the past than in the new kind of relationship between a diplomatic body and public opinion that was established at Geneva. "From the beginning, the guiding principle of the new organisation has been to give the widest publicity to its activities."<sup>3</sup> Publicity became an inseparable element of the League's action. More than any government or public agency the League was dependent upon active collaboration on the part of public opinion. National government may be criticized, but its necessity is no longer questioned. International organization, on the other hand, has not yet reached the stage of universal acceptance. Not only its effectiveness, its very existence, depended and depends upon the degree to which it is backed by an actively interested public opinion. Though Wilson's demand for "open covenants openly arrived at" was never fully implemented, more delicate and more controversial questions were discussed in public at Geneva than anywhere else in the world. League meetings were public as a rule and secrecy was the exception.

The liaison between the League and public opinion was almost exclusively effected by the Information Section;<sup>4</sup> it held for all practical purposes a monopoly on the League's publicity. The position of that Section transcended that of corresponding national services, and its status reflected the fact that a quasi-revolutionary change in the relationship between a diplomatic body and the public had taken place.

<sup>3</sup> *The League of Nations and the Press; International Press Exhibition, Cologne, May to October, 1928* (Geneva: Information Section, League of Nations, 1928), p. 7.

<sup>4</sup> Public relations activities carried on outside the Information Section are shown, *infra*, p. 216.

## A. THE PLACE OF THE INFORMATION SERVICES

The Information Section was created and directed for almost fifteen years by M. P. Comert, a Protestant Frenchman of Mediterranean extraction. The manner in which the Section envisaged its task was strongly influenced by his basic concept of public relations. Publicity to him meant "the press" — the closest possible relationship with the daily newspapers, especially those of the capitals of the permanent members of the Council. Here lay the greatest strength of the Information Section, here as will be explained later, also lay its weakness.

The official publication *The League of Nations and the Press*, quoted above, describes the place of the Information Section in the Geneva scheme:

The Information Section is an integral part of the Secretariat organisation, and is on the same footing as the other Sections. It is not an annex of the Secretariat, nor is it a Press bureau in the usually accepted sense of the term. It is an organic part of the Secretariat. . . .<sup>5</sup>

The degree to which publicity was an organic part of the League machinery can perhaps best be illustrated by quoting from the internal Office Rules<sup>6</sup> regulating the distribution of documents. Whenever a section prepared a document for official circulation it was under the obligation to take matters up with the Information Section. Documents circulated to the members of the League, to the Assembly, to the Council, or to conferences were in principle "given to the Press simultaneously with the official distribution." The following additional rules bear witness to what degree the legitimate desire of the press for information was complied with:

documents which are withheld from the Members of the League at the time of their first official circulation (e.g., as Council or Committee documents) may, if they are discussed in public, be given to the Press at the time when the discussion takes place, even though the circulation to Members of the League may take place only later (e.g., with the records of the meeting); their circulation to the Press may, moreover, if there are special reasons which justify this course, be authorised before and independently of such public discussion.<sup>7</sup>

The release of documents to the press prior to their reaching their official destination certainly constitutes a *non plus ultra* of comprehension of the needs of the press and of preparedness to meet all its legitimate demands.

<sup>5</sup> *Op. cit.*, p. 9.

<sup>6</sup> *Secretariat Office Rules, op. cit.*, p. 53.

<sup>7</sup> *Ibid.*

## B. GUIDING PRINCIPLES

"The Secretariat is not the depository of League 'policy' and has no competence to advocate views. The League is not a super-State and the Secretariat cannot act as a super-State service. It is a body of officials responsible equally to all the Governments in the League. . . ."<sup>8</sup> This statement contains in a nutshell the possibilities but also the limitations of the public relations work of the Information Section.

Unlike the press, information, or propaganda services or departments of national governments, the Information Section was barred from advocating policies or opinions. Its activities were restricted to factual information. Aims and purposes of the League could only be advocated to the extent to which they were formulated in the Covenant or embodied in unanimously adopted resolutions.

Propaganda was taboo. The newcomer to the Section was left much to himself regarding the methods he desired to employ in his public relations work. But there was one rule that was impressed upon him, namely, not to make propaganda under any circumstances, not even propaganda for the League. This limitation imposed upon the information services stemmed from a fear that propaganda in favor of the League would prove a boomerang and defeat its own ends. It also corresponded to the general policy of the administration to avoid any direct or indirect influence of the Secretariat in world affairs. The League authorities believed that the League's activities would sufficiently speak for themselves; publicity was therefore considered the only possible and legitimate effort.

This is not the place to discuss the use of propaganda in international organization. It must suffice to say that the objection on the part of the administration to any kind of propaganda, even that for the League itself, prevented the Information Section, at a time when in many countries public opinion toward the League was still in a formative stage, from enlisting powerful support for its action.

## C. TASKS AND FUNCTIONS, PUBLICATIONS

The task of the Information Section was twofold: first, to disseminate information on League activities, to supply the press and other organs of public opinion with documentary and analytical material; and, secondly, to keep the Secretary-General and the Secretariat

<sup>8</sup> L.N., *Ten Years of World Co-operation*, p. 402.

informed of the movements of public opinion in member and non-member States.

(1) This meant in concrete terms: the issuance of press communiqués on all major League meetings, and of articles summarizing the activities of the Assembly or of important conferences; and supplying journalists and publicists with additional sources of information, background material, and documents.

Most important among these activities was the preparation of the communiqué. It is, in the words of the official pamphlet on the League of Nations and the press, "the original official form of League information. It is the cornerstone of the news service. . . . Its purpose is to summarise the broad points of a question as a basis for individual and independent journalistic work."<sup>9</sup>

A word about the technique used in the preparation of the press communiqués may not be amiss. The official entrusted with this often nerve-racking task had a small desk put into an acoustically strategic place in the assembly room. A secretary slipped as quietly as a ghost into the seat beside him. The official dictated in a low voice a summary of the proceedings to the secretary. After a short time she was relieved by another stenographer who took over, sometimes in the middle of a paragraph. In the meantime the first stenographer rushed into a nearby service-room and typed her notes while the official in the assembly room continued dictating his summary of the proceedings to her successors. Returning to the meeting, the first typed instalments were submitted to the official in charge of the communiqué. He corrected the text during the breathing spell afforded him by the translation of a speech. One copy of the corrected text was rushed to the stencil service, a second copy to the translator. While the meetings were still in progress the stencils were cut and the first pages rolled off the machine. All these activities were performed with the precision of clockwork, as if by robots rather than by human beings. They had to be uninitiated, who was unaware of the purpose of these movements, something of the mysterious. Everything was synchronized in such a manner as to allow for the distribution of the complete communiqué almost simultaneously with the conclusion of the meeting.

An idea of the amount of technical work involved in the activities of the Section during major League meetings may be gained from the following figures issued under the responsibility of the Information Section.<sup>10</sup> During the Assembly of 1927, which lasted twenty-three days, the following documents and releases were distributed or posted: 70

<sup>9</sup> *The League of Nations and the Press*, p. 22.

<sup>10</sup> *Ibid.*, pp. 17-18.

communiqués, 143 documents, 22 verbatim reports of plenary meetings,<sup>11</sup> 56 verbatim reports of committee meetings.<sup>11</sup> These documents composed altogether 2,165 mimeographed pages and were issued in the two official languages.

The efforts involving direct contact with, and assistance to, organs of public information and their representatives were supplemented by liaison activities with national branches or international headquarters of private organizations interested in foreign affairs, peace questions, or more specially in the League of Nations, such as the various League of Nations societies and associations existing in practically all member States, and in some countries which were at that time or permanently outside the League. The Information Section supplied such organizations with documents, pamphlets, and current releases, and assisted them in their understanding of League problems and in their activities on behalf of the League of Nations. Moreover, it provided members of such organizations with seating accommodations during League meetings and invited a number of representatives of these bodies to Geneva as "temporary collaborators."<sup>12</sup> The Section also conducted an extensive correspondence with individuals all over the globe who asked for information and assistance.<sup>13</sup>

These circles, in addition to public libraries and reading rooms, were the main recipients of another type of publication issued by the Information Section with a view to supplementing the often meager newspaper reports on League activities appearing in the different countries. Chief among these publications was the *Monthly Summary*, which furnished a month-by-month account of the League's activities in all its fields. This periodical was issued in English and French, and during many years also in a number of other languages, especially in German and Spanish, and for some time in Czech. It was a more popular but hardly more colorful edition of the *Official Journal*, and all efforts to make it more digestible remained practically unsuccessful. The Information Section also published various series of pamphlets and small monographs explaining the League and its manifold activities.<sup>14</sup> Some of these brochures were also issued in other than the official languages if

<sup>11</sup> Posted through the good offices of the Information Section but not prepared by the Section.

<sup>12</sup> See chapter on "Exchange and Loan of Officials," *infra*, p. 342.

<sup>13</sup> It is proof of the elasticity of League methods of work that a fair percentage of this correspondence was conducted in the language of the addressee if reasonable doubt existed that letters in the official languages would not be understood by the recipient.

<sup>14</sup> These duties were either performed by members of the Section in addition to their liaison activities with press representatives, or they were entrusted to officials specially recruited for these tasks.

their content was of special interest to the public of one or the other country. A report on the Conference of Central Authorities in Eastern Countries (Bandoeng, 1937),<sup>16</sup> for example, originally issued by the Social Questions Section, was translated through the good offices of the Information Section into Dutch and Chinese and was made available to the interested public in the Netherlands Indies and in China under the title, *The Work of the Bandoeng Conference*.<sup>16</sup> In 1930, the Section issued a comprehensive survey of the activities of the League in all its fields of operation under the title, *Ten Years of World Co-operation*,<sup>17</sup> and distributed the chapters dealing with the different subjects as separate brochures in a number of languages.

At the beginning of the thirties the Information Section made serious attempts to gain publicity for the League by new methods, namely, by the use of photographs, films, and the radio. The Section prepared lantern slides for speakers on League subjects and collaborated in the production of a small number of short reels on the League's general activities and some of its more spectacular technical work. A short film on the health work produced by a commercial concern with the support of the League was particularly effective and was shown in innumerable motion picture theaters. Proceedings of debates were recorded, and attempts were made to provide radio reporters and commentators with facilities during major League meetings. Special broadcasts and releases through the League's own radio station, most notable among them the Assembly's Manchurian Report, were arranged. This enabled the governments not only to receive the full text on the very day it was released at Geneva but also made it possible for the overseas public and press to be fully informed almost simultaneously.<sup>18</sup> For several years the Information Section sponsored broadcasts of a weekly telegraphic circular communication addressed to the governments, who passed them on to the press bureaus or agencies if they considered their contents

<sup>16</sup> L.N. Document C.476.M.318.1937.IV.

<sup>17</sup> *Traffic in Women and Children; The Work of the Bandoeng Conference* (Geneva, 1938), L.N. Document C.516.M.357.1937.IV.

<sup>18</sup> *Op. cit.*

<sup>19</sup> The result was highly encouraging from the point of view of the friends of the League. The *New York Times* made special efforts to take down the whole text, amounting to 15,000 words, which it published the same day it was released at Geneva (February 18, 1933). The Latin American press of the type of *La Prensa* followed suit. Chinese radio stations recorded the text and rebroadcast it in translation. Newspapers in Australia and New Zealand were made independent of the comparatively short summaries transmitted by news agencies and of the inevitable delay occasioned by the habitual procedures of transmission. It was the first large-scale use of an official radio service at a moment of international crisis. See also chapter on "External Relations," *supra*, pp. 195-98.

useful. Moreover, the Section arranged for radio talks on the work of the League given weekly from September, 1932, on, in English, French, and Spanish, and an additional English-language transmission from 1935, for Australia and New Zealand. The latter services were frequently relayed over local stations. Beginning with the 1937 Assembly, nightly accounts of the proceedings were broadcast in English and Spanish, at hours and on wavelengths guaranteeing the best reception in the British Isles, North and Latin America, and South Africa.

In spite of the considerable progress that was achieved by the Information Section in these new fields of publicity it is nevertheless true that considerable obstacles had to be overcome whenever attempts were made to enlarge these activities or to secure to these new methods an equality of status with the time-tested methods of the past. European traditions were averse to treating the film or the radio as equals of the press or to providing for the broadcasting of parliamentary procedures over national networks. This opposition applied even more to international meetings of a governmental nature. Moreover, these methods of publicity were looked upon in Europe as unorthodox and it was feared that they might detract attention from the press, which was still considered *the* legitimate channel of information. Hesitations of this kind resulting from the failure to understand the importance of these up-to-date experiments in publicity were obviously illogical in the case of the League with its declared open-door policy in regard to publicity. But the time was not yet ripe for a thorough revision of the basic concepts of the League's publicity work. The new means of publicity remained relegated to a Cinderella rôle compared with the provisions made and sanctioned in the case of publicity through the more conventional channels of the press. Even small expenditures provided for this type of publicity encountered considerable obstacles, and sums earmarked in the annual draft budget for the extension of these activities were frequently cut by the powers that held the purse strings of the League.

(2) Another set of tasks, paralleling these activities, was also entrusted to the Information Section — that of supplying the Secretariat with information on the trends and tendencies of public opinion throughout the world. A *Daily Synopsis* of the press, reproducing newspaper articles or giving extracts from about two hundred papers, was issued in mimeographed form exclusively for use within the Secretariat. It contained the comments and echoes on League activities appearing in most of the important newspapers of the world. The French, British, German, Italian, etc., members of the Section were entrusted with the

task of perusing their national press, to select interesting passages and translate them into one of the official languages. Some of the branch offices of the Information Section collaborated in the selection of the material.<sup>19</sup>

In order to allow them to follow the political trends at first hand, members of the Information Section were dispatched on frequent missions to the capitals of their respective countries of origin. In his official visits to the capitals of member States the Secretary-General was as a rule accompanied by a member of the Information Section, who fulfilled on this occasion the function of a press officer.

#### D. INTERNAL ORGANIZATION AND COMPOSITION OF STAFF

The Information Section was the only service of the League largely organized on national lines. It had national desks. An Englishman dealt with the British, a citizen of one of the British dominions with the Dominion and Empire press, a Frenchman and a German (from 1926 to 1933) with the press of their respective countries. First one, for some time two, citizens of the United States effected the liaison with the press of the United States.

This Section was one of the largest of the Secretariat, and its size was the object of much criticism on the part of governments. Most of its members were former journalists or had been attached to official press services in their countries of origin. Its evolution is illustrated by the following data: 1920 — With 12 Members of Section, the Information Section was by far the largest single section. Its members belonged to the following nationalities: Belgian, French (2), British (2), Japanese, Polish, Dutch, Italian (2), United States, Spanish. Director: French. 1930 — With 19 members it was, in an enlarged Secretariat, still large, but the Economic and Financial Section had an equal number of Members of Section. In that year, the membership of the Information Section included the following nationalities: Belgian, Italian, British (2), French, Danish, Polish, Uruguayan, Dutch, Spanish, Yugoslavian, Japanese, German, Indian, Swiss, Chilean, Lithuanian, Chinese, United States. Director: French. 1938 — In the course of the reshuffling of a number of services a reduction of the size and activities of the Information Section was effected. Some of its members were transferred to the Political Section.<sup>20</sup> But with 13 members (two of whom had temporary

<sup>19</sup> See chapter on "External Relations," *supra*, pp. 187-90.

<sup>20</sup> See chapter on "The Individual Administrative Units," *supra*, p. 103.

engagements as specialists) the Information Section ranked still as the second largest section immediately behind the combined Financial Section and Economic Intelligence Service with its 21 members and officials of equivalent rank. The remaining information officers were taken from the following countries: Australia, Belgium, Chile, France, Czechoslovakia, Greece, Eire, Hungary, Poland, Spain, Switzerland, Yugoslavia, United States. Its director was Dutch. One of the temporarily engaged specialists was a radio expert, the first official of this kind serving in the Information Section.

An analysis of these data shows (a) a progressive reduction of the size of the Information Section in proportion to the entire First Division; (b) a progressive elimination of multiple national representation (in the years 1920 and 1930, France held 3 and 2 posts, including that of the director; England 2 and 2; and the other permanent members of the Council one desk each; by 1938, no country had more than one administrative official in the Section); (c) a more adequate representation of Asia and the American Continent in the Information Section than in any other service of the League.

#### E. GENEVA — AN ELDORADO FOR THE PRESS

No administration ever granted the press facilities comparable to those it enjoyed at Geneva. As honest brokers members of the Information Section did everything humanly possible to provide the press with seating accommodations and admission cards to meetings, with working rooms and desks in the League buildings, and with all the technical facilities for the unhampered dispatch of their duties. Press representatives working at Geneva fell into two categories: those with permanent residence at Geneva and those editors and star correspondents who accompanied their national delegation to major League gatherings or were sent to Geneva on special mission to cover a particular "story." Originally only a handful of newspapers and news agencies had permanent representatives in Geneva; in 1928, 99 press representatives resided there permanently. This figure includes the correspondents of 79 papers and 20 news agencies. Germany headed the list with 21, Switzerland followed with 12, Great Britain with 11, and the United States with 8. After 1933, the number of permanent press representatives declined.<sup>21</sup>

At the First Assembly of the League of Nations in Geneva (1920)

<sup>21</sup> *The League of Nations and the Press*, pp. 33 ff.

altogether 167 newspapers and 20 news agencies were represented. At the Fourth Assembly the corresponding figures were 150 and 16. At the Fifth Assembly, in 1924, politically important because of the drafting of the Geneva Protocol, the figure had risen to 263 newspapers and 22 news agencies. The press attendance for the Seventh Assembly, 1926, reached the extraordinary figure of 333 newspapers and 28 agencies. The Disarmament Conference of 1932 was attended by a record number of press representatives, not even surpassed by the opening attendance at the Paris Peace Conference of 1919. Many of these journalists became League specialists and followed the Geneva activities regularly after their return home. The Information Section supplied them on request with its releases and publications. Permanent press representatives visited the Information Section daily, and oftener, in the active years of the League. They conversed chiefly with the members of the Section of their own nationality but often also with those of other nationalities.

Information Section officers also helped journalists to make contacts with specialists. As such officers were usually experienced journalists themselves they supplied the journalist with a good deal of valuable off-the-record information. As a matter of fact, much leeway was given to members of the Information Section in this respect by their superiors.

A special effort was made by the Section to implement the promise of publicity by actually giving the journalists access to all public meetings. Journalists of any importance found seats reserved at all important debates enabling them to witness these discussions. There was a constant endeavor on the part of the League to open the press galleries to as many journalists as possible, to avoid discrimination or even suspicion of discrimination, and to give even the provincial press of the different countries the opportunity to see for itself. Unless the afflux was overwhelming and seats had to be redistributed, every *bona fide* journalist who represented a daily newspaper anywhere in the world received at least a temporary press ticket permitting him to attend meetings of special interest to him. The restrictive words *bona fide* are inserted on purpose. It was one of the most difficult and painful tasks for the national members of the Information Section to separate the chaff from the wheat among those applying for press tickets. Precautions had to be taken against the misuse of these press tickets by political agents, talebearers, or shady actors of the international scene. But the Information Section officer, not being an FBI in-

investigator, had to accept in the last resort a letter emanating from an editor or head of a news agency accrediting the person in question as its representative as sufficient basis for the granting of press facilities.

Apart from the personal assistance given by the information officers to all journalists, whatever their color, shade, origin, or paper, as long as they could reasonably be expected to produce something on the League, the work of journalists accredited to the League was chiefly facilitated by the press releases issued by the Section. Most important among these releases was the communiqué, the drawing up of which has already been described. It not only provided the journalists with a competent summary of the proceedings, which were often difficult to follow even for the experienced newsman, but they relieved them of the necessity of sitting through wearisome debates. When several committees sat simultaneously, press representatives could attend parts of the discussions of different committees in order to familiarize themselves with the atmosphere and general trend of a debate without fear of missing any significant incident occurring somewhere else. Since, as a rule, meetings were open to the press and public, the journalist witnessed almost all the major activities of the League. In the case of private meetings, communiqués would reveal at least the decisions which had been taken.

On the occasion of major gatherings, for instance those of the Assembly and its committees or the Disarmament Conference, elaborate arrangements were made. Typewritten copies of summaries or verbal transcripts were affixed in English and French to a board in the press room, page by page, while the meetings were still in progress. The journalists could thus cable authentic texts to their headquarters with a minimum of delay. Major declarations on the part of prime ministers or foreign ministers were often mimeographed in advance by the national delegations themselves and released in the press room the moment the speaker ascended or left the rostrum. Press officers attached to these delegations were available to analyze and implement important speeches. Often the delegations themselves held informal press conferences in some corner of the League building or in their hotels. A journalist bent upon gaining an all-round picture on national points of view had a unique opportunity to assemble facts and opinions with a minimum of effort. For some time around 1930, Geneva was the world's foremost observation center for international affairs, ranking with London and Paris.

## F. HONEST BROKER BETWEEN THE LEAGUE AND THE PRESS WORLD

Closely linked with the efforts to facilitate the work of the press at Geneva were the efforts undertaken by the Information Section to improve the facilities of telephonic, telegraphic, and radio communications, and to collaborate actively in ensuring to the press more rapid and less costly transmission of press communications through these channels. Moreover, the Information Section assisted the press in the removal of travel and other restrictions which prevented or delayed their attendance at League meetings. An International Association of Journalists accredited to the League of Nations was, on the advice of the Information Section, recognized by the Secretariat "as the competent body representing the interests of League journalists."<sup>22</sup> Its membership cards were signed by the Secretary-General "who commands the holders to the good offices of the authorities of all the States Members."

Most significant among the broader activities of the Information Section was its rôle as an intermediary between the official and non-official elements which compose the press world as a whole, namely professional journalists with their national and international associations, editors and publishers of newspapers, news agencies, and official press bureaus.

The Information Section acted as initiator and driving force behind the organization of a series of conferences of press experts. These deliberations, opened by a conference of press experts held at Geneva in 1927, spread over many years and climaxed in the Conference of Governmental Press Bureaus and Representatives of the Press, held at Copenhagen in January, 1932, and the Second Conference of Governmental Press Bureaus and Representatives of the Press, held in Madrid in 1933.<sup>23</sup> Officially these activities originated in a resolution adopted by the 1925 Assembly, at the suggestion of the Chilean delegate, inviting the Council to consider the summoning of a committee of experts representing the press of the different continents. Great care was taken to avoid any interference with the liberty of the press and to proceed

<sup>22</sup> *The League of Nations and the Press*, pp. 40-41.

<sup>23</sup> The following are the chief documentary sources for the activities of the League in this field: *Co-operation of the Press in the Organisation of Peace*, L.N. Document A.31.1932.; "Co-operation of the Press in the Organisation of Peace: Report of the Sixth Committee to the Assembly," L.N. Document A.59.1932., in O.J., Special Supplement No. 104, pp. 140-42; "Collaboration of the Press in the Organisation of Peace," L.N. Document C.96.1932., in O.J., 1932, pp. 789-97; and "Co-operation of the Press in the Organisation of Peace," L.N. Document A.44.1934., in O.J., Special Supplement No. 127, pp. 47-49.

only if the journalists themselves desired the assistance of the League.

The Secretariat consulted almost four hundred groups or individuals in thirty countries. The replies received served as a basis for provisional agenda. Three committees were appointed consisting of representatives of news agencies, of the directors of European (official) press bureaus, and of European and non-European journalists with "foreign" experience. Out of the work of these committees grew the international conference of press experts held in August, 1927, the first meeting of this kind ever convoked. The conference was composed of 118 members from thirty-eight states and five continents, i.e., directors of news agencies, journalists, proprietors of newspapers, and directors of official press bureaus, the latter invited in an advisory capacity.

The conference demanded, *inter alia*, assurance of rapid dissemination of press news at moderate rates, authorization of an appropriate code of ordinary press rates, improvement of telegraphic, telephonic, and wireless communications, identity cards for journalists, protection of news, greater facilities for the transport of newspapers, etc. One of its resolutions dealt with the protection of non-published news, the abolition of preferential treatment as regards news from official sources, and the free circulation of all public news; another recommended the abolition of peacetime censorship of news. A great many of these questions were transmitted for study and action to the League Committee on Communications and Transit and led to a series of governmental enquiries, and, up to a point, to practical action on the part of national authorities.<sup>24</sup> Other technical questions were added at a later stage, particularly those concerning cooperation between official press bureaus and representatives of the international press. Among additional professional questions figured the status and protection of journalists, especially of those working in foreign countries, identity cards for journalists and their recognition, and similar questions.

In later years, when mounting international dangers loomed more and more in the foreground, the accent shifted from technical and professional questions to the broader implications of the work of the press. The discussions centered chiefly around the possibility of combatting and rectifying inaccurate news "the dissemination of which may disturb the maintenance of peace and the good understanding between the peoples" without in any way impairing the freedom of the press. In the later stage these deliberations were extended to include the rôle of broadcasting in international relations. The abandonment of democratic govern-

<sup>24</sup> *The League of Nations and the Press*, pp. 43 ff.

ment by an increasing number of countries, and with it the progressive destruction of the liberty of the press and of the professional independence of journalists after 1933, cut short the plans for a continuation of these activities by the League.

These efforts to secure a proper status to international journalists and closer collaboration between official and unofficial elements, and to emphasize the responsibility in the preservation of peace of all those charged with the spreading of news, may not have led to tangible results. But they were part of a great endeavor to strengthen the forces actively engaged in the maintenance of peace. Like similar efforts in other fields of the League's activities, they were not strong enough to prevent the headlong rush to the abyss the moment the accumulated danger elements tended toward open military conflict.

#### G. LIMITS AND SHORTCOMINGS

This record of a constant endeavor to meet the needs of the organs of public opinion does not give the whole picture, however. The work of the Information Section revealed shortcomings that were in some ways the reverse of its virtues. Their investigation might suggest remedies for the future.

(1) As indicated previously, the League's handling of public relations centered all too exclusively around the daily press. It took a long time for the Information Section to recognize the importance of weeklies and other periodicals as instruments for the shaping of public opinion. While the representatives of even the smallest daily newspapers stood a fair chance of being admitted to League meetings, the special correspondents of the most important magazines often encountered difficulties. More important still, only in the last stage of its activities did the Information Section become fully aware of the shift that had taken place from the press as the chief and only organ of public opinion to the radio and other modern means of publicity, for example, motion picture reporting, press photography and picture releases, and cinematographic shots of meetings and conferences. The problem was discussed by Mr. Adrian Pelt in a memorandum published as an appendix to the London Report.<sup>25</sup> The former Director of the Information Section pointed out that the League's publicity methods corresponded too much to the state of public opinion in the world around 1919, and to the technical development of the world press when "the newspapers and the news agencies

<sup>25</sup> *Op. cit.*, pp. 61-64.

were the principal instruments for the collection, transmission and distribution of news and for the expression of public opinion." It was therefore natural that the League's publicity service should have consisted mainly of publicists and journalists. He suggested that a modern information service should not only have more specialists capable of producing books, pamphlets, and magazine articles, but a "special radio division," a film and picture department, and professional lecturers.

Attempts were made in this direction at Geneva, but too late and with insufficient means. As stated above, the creation of the League radio station<sup>26</sup> afforded the Information Section a new instrument for its activities. But apart from some English-speaking overseas countries and some Spanish American centers of interest the effect, not to speak of the influence, of these broadcasts was admittedly inconsiderable.

(2) A critical analysis of the record of the Information Section must not overlook altogether the fact that too little interest was taken in the digesting and spreading of the results of the non-political work of the League. Two trends converged in accentuating this: the press-centered character of the Section, which tended to neglect everything not immediately appealing to the press representatives, and the predominantly political orientation of most of the information officers. The Section was thus not particularly well equipped to stimulate interest in the technical work and to try to make it palatable or even exciting to editors, journalists, and the public. By this it is not suggested that the Section entirely neglected this line of activities. It digested and mimeographed accounts of some of them, especially in the economic and financial field; but the official character of these releases gave them rather the appearance of a condensed version of the original documentation than that of an account that would appeal to a broader public.

(3) The attempts of the Section to establish direct contacts with public opinion and interested circles through the monthly summary, brochures, pamphlets, and articles remained under a cloud from the beginning to the end. Here, too, the official character seemed to rob the most gifted members of the Section of all their sparkle and liveliness the moment they sat down to write their texts. The threat of official checking by the technical and Central Sections hung like a sword of Damocles over all attempts. As M. Rappard pointed out in the Fourth Committee of the 1938 Assembly, "A League official was precluded from writing anything which, if wrongly interpreted or even wilfully misinterpreted, might offend one of the fifty nations whose servant he was.

<sup>26</sup> See chapter on "External Relations," *supra*, p. 197.

His wings and his talons were, so to speak, clipped. As a writer he was therefore reduced to impotence.”<sup>27</sup> The articles and small printed booklets and monographs drawn up with infinite pains could have played an important rôle in gaining friends for the League. The form in which they were issued was little suited to arouse interest, not to speak of enthusiasm.

(4) The public relations efforts of the Section in respect to groups and organizations interested in League questions never came fully up to their inherent possibilities. This was due to a great extent to the fact that it was considered a secondary task, that it was never properly organized and remained somewhat haphazard. The Information Section was never formally charged with centralizing these activities. As a matter of fact, the International Bureaux and Intellectual Cooperation Section<sup>28</sup> corresponded with a great many voluntary and private international organizations, and a number of other sections of the League were in constant touch with organizations operating in their respective fields of interest. The Social Questions Section, for instance, had contacts with social welfare organizations; the Economic Relations Section, with chambers of commerce. The Library also served as a center for certain types of information. All this reflected a certain unwillingness on the part of the Secretaries-General to entrust the Section formally and exclusively with the task of public relations in all its aspects, prevented a full mobilization and utilization of important strategic reserves of good-will in the different countries.

(5) All this suggests a final, and, from the practical point of view, perhaps the most important problem raised by the League's publicity methods: the question of uniformity. The fact that the Information Section was an integral part of the machinery of the Secretariat was beneficial in many respects, but it had the signal disadvantage that everything the Section touched had an official tinge and that it would therefore tend to be uniform — whether destined for journalists of big or small countries, for use in countries instinctively pro-League or anti-League. The problem was succinctly formulated as early as 1921 by the Director of the Information Section in the Fourth Committee of the Assembly. After having pointed out that the Information Section maintained continuous relations with the press of a great number of countries, he stated —

<sup>27</sup> L.N., *Records of the Nineteenth Ordinary Session of the Assembly, Meetings of the Committees, Minutes of the Fourth Committee (Budgetary and Administrative Questions)*, Geneva, 1938, O.J., Special Supplement No. 187, p. 25.

<sup>28</sup> See chapter on “The Individual Administrative Units,” *supra*, pp. 130-33.

Each of these countries was interested in different questions, and to assure the maximum of publicity for the communiqués, it would be necessary to submit them in different forms corresponding to the different methods in vogue in the Press of each country. This was a material impossibility.<sup>29</sup>

True, this inevitable uniformity was somewhat mitigated, in practice, by individual efforts of members of the Section to interpret information in terms of the needs of the different press representatives. Yet this could not altogether eliminate the basic disadvantages inherent in the principle of uniformity. The style of all the work of the Section was cramped by it.

There seem to be only two ways out of this dilemma. One was suggested by the second and last director of the Information Section, who insisted that a modern information section must have a less formal character; its releases must not necessarily be considered official. If "it be recognized that active publicity can only be successfully handled by men enjoying freedom of expression, an information section may become one of the most potent instruments to maintain contact between the organization and world public opinion."<sup>30</sup> If this advice, the fruit of twenty years of faithful service in the Information Section, is heeded by those who may be entrusted with the shaping of the machinery of the future international organization, there is hope that its publicity will fully achieve its purpose. A second, less radical, way out would be to separate the public relations activities into two services: an official information service whose activities would be practically restricted to issuing communiqués and other records of the activities of the international agency, and a second semiautonomous service. The releases of the latter would not possess official character. This service would therefore have greater liberty of expression and would even be authorized to exercise certain propagandist activities on behalf of the aims and purposes of the agency. The stake is enormous and the question of an appropriate solution of this problem is worth the most serious consideration and deliberation.

### 3. LEAGUE PUBLICATIONS

Another aspect of the application of the principle of "open covenants openly arrived at" may be found in the far-flung publication activities of the League.<sup>31</sup> Chief purpose of the League publications was that of

<sup>29</sup> L.N., *Records of the Third Assembly, Meetings of the Committees, Minutes of the Fourth Committee (Budget and Financial Questions)*, Geneva, 1922, p. 73.

<sup>30</sup> London Report, Appendix, p. 64.

<sup>31</sup> For the organization of the Publications Service of the Secretariat, see chapter on "The Individual Administrative Units," *supra*, pp. 141-43.

supplying the member States and the government services with permanent records of its activities. But from the beginning the League pursued the policy of making its publications available to libraries, organizations, publicists, and journalists, and, beyond this circle of recipients, to the general public.<sup>33</sup> As Dr. A. C. de Breycha-Vauthier has pointed out, "the greater part of the League's 'audience' must necessarily consist of persons able to keep in touch with its work solely through its documents or through newspapers."<sup>33</sup>

The publications of the League fell into several groups: the periodicals, e.g., the *Official Journal*, the *Bulletin of the Health Organisation*, the *Monthly Bulletin of Statistics*, etc.; publications which appeared regularly, for the most part once a year, without being periodicals in the strict sense of the term, e.g., *Statistical Yearbook*, *World Economic Survey*, etc.; lastly, occasional publications, generally the result of work done either by the Secretariat or by experts on behalf of League committees, for example, reports on "The Placing of Children in Families" or reports on "Systems of Agricultural Credit and Insurance."<sup>34</sup> A special variety of the last-named group consisted of the pamphlets of the Information Section.<sup>35</sup>

Sales of League documents were handled in a twofold manner: the Publications Department, organized on the lines of a modern publishing concern, sold individual documents to interested persons anywhere in the world and accepted subscriptions for certain series or periodical publications ("sectional subscriptions") or for all League publications available to the public ("all-inclusive subscriptions"). The chief difficulty encountered was to find suitable agents. In later years these direct sales were gradually replaced by sales through a network of authorized sales agents in all parts of the world. These sales agents were mostly booksellers who received the usual sales rebates, exactly as in the case of other foreign books they handled. In the United States, the International Documents Service of the Columbia University Press handled these sales. In other countries sales were effected through League of Nations societies (Canada), through the League Branch Office (India), or through other non-commercial channels. In 1936,

<sup>33</sup> See *Report on the Work of the League, 1942-1943, Submitted by the Acting Secretary-General*, L.N. Document C.25.M.25.1943. (Geneva 1943), pp. 105-6.

<sup>34</sup> *Op. cit.*, p. 14.

<sup>35</sup> The best guide to and through the bewildering array of League of Nations publications is A. C. de Breycha-Vauthier's *Sources of Information*, *op. cit.*; see also Marie J. Carroll, *Key to League of Nations Documents Placed on Public Sale, 1920-1936* (Boston: World Peace Foundation, 1930-1938), 5 vols.

<sup>36</sup> See *supra*, p. 205.

sixty-one authorized agents on five continents sold and distributed League publications.

In keeping with the practice established by most national public administrations the League issued, in print, a great number of official papers because of their documentary character, irrespective of their sales value, foremost among these being all material pertaining to the Assembly and the Council. Its most important single publication was the *Official Journal* which contained the minutes of all the sessions of the Council as well as the most important official documents received or sent out by the Secretariat. The Records of the Assembly and its committees were issued as Special Supplements to the *Official Journal*. Originally, minutes of all committee meetings were printed as a general rule. This was largely discontinued in 1931, when the printing of minutes of committees became in practice restricted to those of the Assembly, the Permanent Mandates Commission, and the opium committees. As in the case of commercial publications, sales of individual documents varied. From the commercial point of view the studies of the Economic Intelligence Service were by far the most successful publications. Some volumes became "best sellers"; others commanded a steady sale over many years, as they were used as textbooks or required reading at universities.<sup>36</sup> Among the periodic publications, the *World Economic Survey* ranked first with an average sale of about 4,000 copies for each new issue. Occasionally a League report caught the eye of a broader public. This was the case with a voluminous report on traffic in women and children published in 1927, which created a world-wide stir and was sold out within a few weeks.<sup>37</sup>

The publication activities of the League were directed by the head of the Publications, Printing, and Reproduction of Documents Service<sup>38</sup> and by an internal committee, the Publications Committee.<sup>39</sup> This Committee was invested with considerable authority; it controlled and coordinated all the printing and publishing activities of the League. Its chief concrete tasks were: authorization for printing, decision on the number of copies to be printed, fixing of prices, supervision of free distribution (see *infra*, p. 221), etc. No League document, except those

<sup>36</sup> For example, Gottfried von Haberler's *Prosperity and Depression; A Theoretical Analysis of Cyclical Movements*, L.N. Document 1936.II.A.24. (Geneva: League of Nations, 1937).

<sup>37</sup> *Report of the Special Body of Experts on Traffic in Women and Children*, L.N. Documents C.52.M.52.1927.IV. and C.52(2).M.52(1).1927.IV. (including C.592.1927.IV.).

<sup>38</sup> See chapter on "The Individual Administrative Units," *supra*, pp. 141-43.

<sup>39</sup> See chapter on "Contractual Status and Safeguards," *infra*, p. 264.

issued regularly, such as the *Official Journal*, could be issued without the special authorization of this committee.<sup>40</sup>

Early in the twenties the establishment of an independent printing office was considered. The scheme was abandoned chiefly because it was felt that "no matter how large the printing office might be, it would be insufficient during times of pressure, whilst during slack periods a considerable number of machines would not be used and many workmen would be idle."<sup>41</sup> The method adopted and maintained by the League was to place orders outside Switzerland where prices were lower, except in the case of urgently required documents. In spite of this, 76.6 per cent of the publications were printed in Switzerland, and 23.3 abroad, in 1928. In later years the percentage of documents printed in Switzerland was progressively reduced.

The following table shows the development of the amount, the cost,<sup>42</sup> and the receipt from League publications in a number of selected years:

Year	Number of copies printed (in millions)	Number of pages	Cost (in thousands of Swiss francs)	Sales receipts (in thousands of Swiss francs)
1927.....	1,7	57,483	1,313 <sup>43</sup>	186
1930.....	1,5	61,435	1,310	323
1933.....	1,5	45,457	904	275
1938.....	1,3	47,648	806	280

These figures not only convey a striking over-all picture of the scope and scale of the League's publishing activities, they also afford a remarkable example of a successful policy of economy and technical reorganization, rare indeed in the history of public administrations. While the number of copies printed remained at about the same level and the number of pages diminished by 20 per cent between 1930 and 1938, the costs were reduced in the same period by not less than 63 per cent. It is also remarkable that in spite of the decrease of interest in the

<sup>40</sup> The annual reports of the Publications Committee appeared after 1929 as appendices to the reports of the Supervisory Commission to the Assembly. These reports are the chief source of information on the publication activities of the League.

<sup>41</sup> Supervisory Commission, *Report on the Work of the Seventh Session (August 29th to 31st, 1923)*, L.N. Document A.43.1923.X., p. 8.

<sup>42</sup> This table does not, of course, give a complete picture of the whole production costs, as the cost estimate does not include the salaries of the Printing and Publications Department, the salaries of the officials employed in the preparation of these documents, and the *pro rata* share in the cost of the internal services (lighting, heating, shorthand-typing, stationery, etc.).

<sup>43</sup> Printing costs amounted to one quarter of a million Swiss francs in 1921; they had thus been increased more than five times in the years between 1921 and 1927.

activities of the League in the thirties, in many countries the sales receipts were maintained at a higher level than in the late twenties, thanks to the special efforts made by the Publications Department. Official tables listing the principal buying countries and the sales effected therein throw an interesting sidelight upon the interest taken in League publications in the different countries. According to these tables the principal buying countries in 1936 were the following: United States, United Kingdom, Switzerland, Germany, Japan, France, and Italy. Thus, three non-member States (United States, Germany, and Japan) were among the most regular purchasers of League literature.

At first there was a tendency to distribute League documents free of charge to interested persons. Later more businesslike methods were adopted and lists of persons and organizations receiving documents gratuitously were considerably curtailed. Free distribution of League documents was restricted to journalists and publicists, parliamentarians and persons who at one time or another had served as governmental delegates, experts or members of committees, and libraries and institutions. The majority of documents distributed free were sent, however, as an exchange or in the way of regular cooperation between the Secretariat and certain other institutions. Single documents were made available to interested persons without cost if it was felt that the request was justified. From time to time recipients were requested by circular letter to notify the Secretariat as to whether they desired to continue to receive these documents. Individual requests for the free gift of odd copies of official publications cleared through the Information Section. Requests for the free distribution of League publications either regularly or on a larger scale were handled by the Library in consultation with the Publications Committee.<sup>44</sup> Moreover, a number of copies of all documents originating from it were allotted to each section for free distribution. The policy of sending out review copies followed closely the custom established by commercial publishing houses. A list of recipients was carefully sifted, and review copies were sent only to newspapers and periodicals which actually reviewed League publications. The *Statistical Yearbook of the League* (1937), for instance, obtained 360 reviews throughout the world (460 review copies were sent out).

There were no clear-cut rules governing the policy of free distribution. After much experimentation, a happy medium was struck between giving League documents away indiscriminately and stopping free

<sup>44</sup> See *Secretariat Office Rules, op. cit.*, p. 85.

distribution altogether. The policy of the League in this respect, the system of distribution finally arrived at, may serve as a pattern for future agencies in their efforts to achieve a maximum result at comparatively small costs.

In preceding chapters attention has been drawn to the political implications of activities that appear, on the surface, purely technical. Even the printing of League documents was not an exception, as the following example shows: at times delays occurred in the issuance of certain League documents for exclusively technical reasons. This induced the Fourth Committee of the Assembly, not once, but frequently, to urge the Secretary-General to accelerate the printing process, with the argument that a speedier issuance "would allow Governments to ratify more quickly the conventions adopted under the auspices of the League."<sup>45</sup> This unexpected link between what seems a purely technical process and its political consequences is another illustration of one of the characteristics distinguishing national from international administration emphasized constantly throughout this volume, namely, the inextricable interplay of seemingly technical measures and international action.

<sup>45</sup> *Financial Questions; Report of the Fourth Committee to the Assembly*, L.N. Document A.84.1930. X., p. 3.

## D. FINANCING AND HOUSING INTERNATIONAL HEADQUARTERS

### CHAPTER XIV

#### LEAGUE BUDGET AND THE SECRETARIAT

##### I. THE STRUGGLE FOR ADEQUATE PROVISIONS

The machinery and procedure of drawing up, scrutinizing, and adopting the budget, the allocation of expenses, the payment of contributions by the individual member States, and the thorny problem raised regarding the payment of contributions in arrears, are questions of considerable importance for an evaluation of the experience in international administration. They are a part of a larger problem, namely, that of financing international organizations, the treatment of which clearly lies outside the scope of this study. Moreover, such questions cannot possibly be dealt with adequately within the compass of a short chapter. This study of the International Secretariat must therefore restrict itself to a few remarks referring to those elements with respect to the financing of international administration that have a direct bearing upon this monograph.

From the very beginning, the budget of the League was subject to criticism and close control from outside, as well as very strict internal control. Its growth was accompanied by a constant struggle between the need to provide services for the ever-expanding activities, on the one hand, and the unwillingness of the governments, on the other, to grant the means needed for the accomplishment of the tasks which they themselves currently entrusted to the League. In later years, it was the economic and subsequently the political crisis that first arrested the growth of the League budget and later imposed far-reaching limitations upon the activities of the Secretariat.

In budget matters, the position of the head of the international administration was truly unenviable. As stated in another chapter,<sup>1</sup> he was responsible for the budget under the League constitution; as a matter of fact he was, in this respect, the government, the finance minister, and the authority responsible for the proper disbursement of the funds provided by the budget—all in one person. Moreover, the position was further complicated by the fact that he lacked that support for his budget which a government enjoying the confidence of the

<sup>1</sup> See chapter on "The Secretary-General," *supra*, p. 39.

legislature must possess in order to carry out its program. He was, as a writer on League affairs puts it, in the position of a man who attempts to get his budget "voted by a Parliament where everyone belonged to the Opposition." <sup>2</sup>

## 2. COST OF THE SECRETARIAT

The evolution of the League budget is reflected in the following figures:

In Swiss Francs

Year	Members	League		Secretariat	
		Voted budget	Actual Expenditure	Voted budget	Actual Expenditure
1921.....	50	21,250,000	19,586,870	11,700,000	10,426,298
1922.....	51	22,238,335	18,129,784	13,238,335	10,074,504
1923.....	54	25,673,508	19,556,346	15,093,046	10,226,616
1924.....	54	23,328,686	18,636,442	12,298,449	8,028,316
1927.....	55	24,512,341	22,117,107	13,561,840	11,559,003
1929.....	56	27,026,280	24,117,492	15,011,085	12,853,518
1930.....	56	28,210,248	25,338,935	15,631,456	13,641,701
1931.....	56	31,637,501	29,029,631	16,757,786	14,737,774
1932.....	56	33,687,994	27,225,916	19,174,317	13,364,207
1933.....	57	33,429,132	27,258,446	16,969,925	11,988,080
1934.....	57	30,827,805	24,950,929	15,566,202	10,905,878
1935.....	59	30,639,664	25,589,116	15,041,388	10,974,670
1936.....	58	28,279,901	23,938,518	14,591,635	11,137,048
1937.....	58	29,184,128	26,168,173	14,842,103	12,280,737
1938.....	58	32,273,251	28,180,088	15,929,331	13,565,610
1939.....	54	32,234,012	28,193,044	16,188,063	12,498,432
1940.....	51	21,451,408 <sup>3</sup>	13,238,243	10,771,957	5,474,619
1941.....	48	10,659,711	8,111,799	3,729,302	2,762,090
1942.....	46	9,647,462	7,807,911	3,446,385	2,447,702
1943.....	45	11,388,376	8,364,900	3,434,259	2,450,702
1944.....	45	10,089,049	.....	3,127,477	.....
1945.....	45	14,868,408 <sup>4</sup>	.....	3,126,817 <sup>4</sup>	.....

The column "League" includes the budgets of the two autonomous organizations, the ILO and the Permanent Court, as well as miscellaneous expenditures, such as maintenance of buildings, pensions, assistance to refugees, etc. The column "Secretariat" includes the following: administrative expenditures of the Secretariat proper (salaries and general services), the cost of the Assembly, the Council,

<sup>2</sup> Howard-Ellis, *op. cit.*, p. 438.

<sup>3</sup> The original draft budget for 1940 provided for an expenditure of 25,403,988 Swiss francs. This was subsequently reduced to 21,451,408.

<sup>4</sup> The 1945 budget as approved by the Supervisory Commission. ; .

conferences and committees as far as they were borne out of the League budget, investigation, enquiries and liaison, etc. It excludes contributions to the Pensions Fund, Permanent Central Opium Board, build-ings, etc.

According to the above figures, the League budget reached its peak in 1931; it contracted subsequently with minor ups and downs to 1936 and showed a new increase up to 1939 without, however, reaching the full level of 1931. After 1939, a drastic reduction set in, bringing the budget below the 1920 level. The increase in the very last years is due to the resumption by the ILO of some of its suspended activities, and to the provision for possible developments in the international situation that "may result in an increase of the activities of the League."<sup>6</sup>

A comparison between the evolution of the League budget as a whole and the Secretariat budget indicates a certain parallelism, particularly in the beginning. Both budgets reached their peak in the same year. Between the years 1935-38, the expenditure of the Secretariat shows a steeper rise, relatively speaking, without evidencing the reverse movement observed for the year 1936 in regard to the whole League budget. This was due chiefly to expenditures occasioned by enquiries and investigations (Ethiopian crisis!), but also to the steady increase of expenditures resulting from the statutory annual salary increments, amounting to about two million Swiss francs in the course of the years 1929-39.<sup>8</sup>

A few figures may illustrate the size of League expenditures for certain general and special items. Light, power, and heating, for example, amounted to 140,000 Swiss francs in 1938; postage to 110,000, telephone to 70,000, and cables, telegrams, and long distance telephone calls to 57,000, Swiss francs.<sup>7</sup> Expenditures for moving and traveling expenses of officials and their families proceeding home on leave (not including official missions) were indicated at 208,225 Swiss francs, in the audited accounts of that year.<sup>8</sup>

The above figures show that the activities of the Secretariat averaged, in 1921, about 33 per cent of the whole League budget, in 1930 about 34 per cent, in 1938 about 38 per cent, in 1939 and 1940 about 50 per cent, in 1941 and 1942 about 35 per cent, and in 1943 about 30 per cent. This proportional decrease of the share of the Secretariat during the last

<sup>6</sup> *Budget for the Twenty-Sixth Financial Period (1944); General Budget of the League and Part I — Secretariat*, L.N. Document C.24.M.24.1943.X., p. 5.

<sup>7</sup> See chapter on "Compensation and Vacation," *infra*, pp. 296-97.

<sup>8</sup> The mean exchange rate in dollars in 1938 was 4.37 Swiss francs.

<sup>8</sup> The chief stipulations regarding traveling and removal expenses will be found in Appendix V, *infra*, pp. 466-67.

years is chiefly due to the increase in the share of the ILO, which rose from 26 per cent in 1939 to 33.7 per cent in 1943.

The greater part of the Secretariat expenditures was spent for personnel costs. The outlay for salaries amounted roughly to 44 per cent in 1923, 43.6 per cent in 1929, 70 per cent in 1935, 67 per cent in 1937, 66 per cent in 1938, 64.5 per cent in 1939.<sup>9</sup> In the years 1942-44, salaries came to about 50 per cent of the Secretariat budget.

### 3. INTERNAL CONTROL OF EXPENDITURES

Internally, expenditures were controlled by the Treasury and its different services. Referring to this internal control, Sir Herbert Ames (Canada), who was Financial Director during the first six years and largely responsible for the shaping of the financial system of the Secretariat, stated:

It can be affirmed, with little fear of contradiction and no danger of disproof, that no Government exercises stricter control over expenditure than the League of Nations. Complete rules and regulations govern every phase of the work, and the system followed in assuring obedience thereto is thoroughly effective.<sup>10</sup>

Originally, the Accounting Branch and the Internal Control Office were separated in order to demonstrate visibly the separation of the department which authorizes payments and the department which defrays the expenses. Later both services were integrated into a common service, the Treasury.<sup>11</sup>

The position of the Financial Director, called Treasurer in later years, was strong. In contrast to the treasuries of many public administrations, the League Treasury never tried to transgress its proper functions. It never sought to establish itself as a policy-making service within the Secretariat, in spite of many factors peculiar to the League which might have induced less scrupulously correct officials to avail themselves of their truly strategic position in order to initiate particular policies.

The duty of a treasury, for instance, to certify that a demand conformed to budgetary provisions before any expenditure could be incurred, has often led, in national administrations, to "treasury poli-

<sup>9</sup> Absolute figures will be found in the chapter on "Compensation and Vacation," *infra*, p. 298.

<sup>10</sup> Sir Herbert Ames, *Financial Administration and Apportionment of Expenses* (Geneva: Information Section, League of Nations Secretariat, 1923), p. 17.

<sup>11</sup> The actual working of the Accounting Branch and the Internal Control Office is described in the chapter on "The Individual Administrative Units," *supra*, p. 105.

cies," or "treasury interpretations" amounting to political, sometimes even arbitrary political pressure. No arrogation of power in this respect could be fairly charged to the League Treasury with any real justification.

No vestige of suspicion ever touched the financial operation of the League in spite of the constant and exaggerated criticism to which the League's expenditures were often subjected from outside. The system was sound and efficient without being vexatious, the control thorough, and the integrity of all charged with this work unchallenged — a minor triumph for a body whose international composition and independence of national judiciaries would seem to have opened unending possibilities for major and minor sources of corruption.

#### 4. THE NEED FOR OVER-BUDGETING

The League's budget differed from budgets of national governments in various essential points. One has already been dealt with: the budget before being submitted to the Assembly was not only, in every detail, considered by the Secretariat,— in which respect it did not differ from any administrative budget, national or international,— it was also scrutinized by the Supervisory Commission, a standing committee of the League's "parliament." Any item that could not be fully justified was ruthlessly reduced or suppressed by that body prior to the submission of the draft budget to the Assembly. More important was the difference resulting from the fact that the Assembly sat only once a year. In order to meet normal, but temporary, requirements of its regular organizations which could not be paid out of income at the time when they were due, or in order to cover loss of income due to defaults in the contribution of States, "the Secretary-General was not, like national Governments, able, if necessary, to apply to Parliament in the course of the financial year for additional credits. The total funds voted at one session of the Assembly had to suffice for the continuation of the League's work until the following session."<sup>12</sup> A national government, if its expenses increase or if it runs into a depression and its revenue decreases, can borrow to cover the deficit. The League never borrowed. It had no means of issuing treasury bills. The consequence was that the League had to resort to the system of over-budgeting in order to be fairly sure of getting means for the carrying out of its duties and of being able to

<sup>12</sup> *Financial Questions; General Report submitted by the Fourth Committee to the Assembly at its Ninth Ordinary Session*, L.N. Document A.85.1928.X., p. 1.

meet unexpected contingencies occurring during the interim between sessions of the Assembly.

The difference between budgetary allotment and actual expenditure reached, for example, approximately 20 per cent in 1934, as the following figures (in Swiss francs) show: Budgetary allotment, 30,827,805; expenditure, 24,950,929; difference, 5,876,876. Between 1930 and 1938, the difference was never below 8 per cent in any year.

Apart from the device of over-budgeting, which is a nightmare to any conscientious administrator, the administration resorted, with the authorization of the Assembly, to the establishment of a number of working capital funds. But these funds were neither flexible enough (most of the sums were earmarked for special purposes)<sup>13</sup> nor large enough to carry the administration through a prolonged period of depression.<sup>14</sup> This became universally known in the years 1939-40, when the lack of funds and the uncertainty of collecting dues compelled the Secretary-General to suspend and dissolve services which could and should have been preserved in the interest of the community of nations. This experience suggests the need for a radical departure in the future from the League practice in order to prevent the recurrence of a similar panic with the inevitable destruction of valuable services. This departure would seem to consist, first, in the establishment of a large working capital fund which could carry it through a prolonged crisis or depression, at least corresponding to the expenditure budget of the central administration for a full year; and, secondly, in enactment of provisions empowering the international agency to borrow from an international bank in case a system of this kind should be established.

<sup>13</sup> Article 33 of the *Regulations for the Financial Administration of the League of Nations*, edition of January, 1929, L.N. Document C.614.M.191.1928 X.

<sup>14</sup> *Proceedings of the Conference on Experience in International Administration*, op. cit.

## CHAPTER XV

### THE HEADQUARTERS

#### 1. BUILDINGS AND GROUNDS

The League was originally established in Sunderland House, Curzon Street, London W. 1. At the end of 1919, additional accommodations were rented at 117 and 118 Piccadilly. The atmosphere and character of the original headquarters of the Secretariat have been described, for the benefit of this study, by Mr. Arthur Sweetser as follows:

Two buildings were made available by the British Government as the original home of the League's Secretariat. The first was Sunderland House on Curzon Street, one of the best-known mansion houses in London which, by its very munificence, constituted an odd birthplace for a world association and an office staff. The large reception room on the ground floor, only recently gorgeous with court costumes, was hard to adapt to office use; the chandeliers, which still appeared amongst the partitions, marked the offices' occupants as temporary visitors; while the luxurious rooms upstairs provided an unusual background for intruding typewriters. The second office, provided later as the staff expanded, was a converted building fronting on Piccadilly, with a somewhat rambling elevator and different sizes and types of offices on its six floors. The staff, however, soon began to feel very much at home and attained in those very British surroundings their first sense of homogeneity, together with certain British methods, particularly as regards correspondence, filing, document distribution, and the like, which followed on to Geneva and became a permanent part of the organization.<sup>1</sup>

In 1920, a part of the staff of the Secretariat was needed for the Council meeting in Brussels, which began on October 20. After conclusion of the session, these members of the staff proceeded directly to Geneva. In the meantime the rest of the Secretariat had also moved from London; a special train bound for Geneva on October 24, 1920, transported the members, their wives, children and servants, and such documents as were urgently needed. After its transfer to Geneva, the headquarters of the Secretariat were installed in the building previously known as Hotel National, which was acquired for the price of 5,500,000 Swiss francs. In subsequent years, the office spread to the surrounding buildings, which were either bought by the League or rented. The meetings of the Assembly were held in the *Salle de la Réformation*, later in the

<sup>1</sup> Annex to personal letter to the author dated October 17, 1944.

*Bâtiment Electoral*, separated from League headquarters by the greater part of the city of Geneva. The chief characteristics of the League's temporary quarters at the beginning of the thirties were inadequacy of accommodation, overcrowding, and unhealthful conditions for a part of the staff, which had to work in cellars and rooms without sufficient light and ventilation. A report of the Medical Adviser on the hygienic conditions of work in the Secretariat of the League reached the conclusion that only the higher officials and their staffs were properly housed. The working conditions of the other categories of the staff were described as ranging from being "barely adequate" to "definitely bad."<sup>2</sup> By 1928, the League owned buildings, land, and other property worth ten million Swiss francs, had a five-million-franc working capital fund, and a building fund of nearly twenty million francs.

On the occasion of the Disarmament Conference of 1932, special temporary premises were erected, adjoining the League headquarters, in order to provide spacious committee rooms for the conference. These quarters served subsequently, up to the completion of the new *Palais des Nations* on the grounds of the Ariana Park, as assembly rooms for the Council and major League committees. They were abhorred by delegates and officials because of their painful conditions of lighting and their atrocious acoustics, which made any attempt to follow debates almost impossible.

The Assembly of the League decided, in 1926, to hold an international competition for the construction of a new building. Plans were received from 377 architects belonging to thirty-four different countries. In January, 1927, these plans were submitted to an international jury. The committee responsible for the decision expressed the desire that the final plans should be prepared by a French and a Swiss architect, in collaboration with another Frenchman, one Italian, and one Hungarian architect, whose plans had been considered in the final choice of the jury.

The first stone of the new building was laid on September 7, 1929, in the lawn of the Ariana Park. Four years later the symbolical "crowning of the roof tree" marked the end of the construction work. Five hundred workmen of different nationalities had worked together in this endeavor. Contractors and supply firms of a dozen different countries shared in the work of constructing and equipping the building. A number of member nations participated in the decorating and furnish-

<sup>2</sup> Supervisory Commission, *Report of the Commission on the Work of its Thirty-Seventh Session*, L.N. Document A.5.1930.X., pp. 12-15. See also Report of the Committee of Thirteen, *op. cit.*, p. 20.

ing of the rooms by offering gifts of considerable artistic value. Foremost among these gifts were the paintings of José Maria Sert which adorn the walls and ceilings of the Council room, for which the Spanish Republic defrayed the considerable cost. Apart from these gifts, the League of Nations obtained material for the building from various parts of the world (Finnish granite, Swedish marble, African pear-wood, etc.) and commissioned work from artists in many different countries.

The Council met for the first time in its resplendent room in 1935, the Secretariat moved to the office wing of the new building in 1936, and in 1938 the Assembly for the first time held all its meetings in the new building.

The completed League building is an imposing monument of contemporary architecture. From an artistic point of view its chief characteristic is its eclecticism, aiming at a synthesis of modern and classic ideas. The result evoked strong criticism on the part of some, passionate praise on the part of others who consider the new *Palais des Nations* "one of the most successful monumental edifices of the twentieth century."

The building attracted hundreds of thousands of visitors from every part of the world. According to the Secretary-General's Report on the work of the League for 1937-38, from which most of the above data are taken, it was the predominant impression among visitors "that there is no vain display here, but that the building is an instrument designed to serve the cause of peace and to spread a desire for peace throughout the world."<sup>3</sup>

The building cost the community of nations in all some twenty-nine and one-half million Swiss francs, not including the cost of the Library wing given by Mr. J. D. Rockefeller, Jr., to the League, which amounted to five and a half million Swiss francs.<sup>4</sup>

## 2. INVIOABILITY OF PREMISES<sup>5</sup>

When the choice of the League site was first discussed at Paris, strong opposition to Geneva was encountered on the part of those who objected to Switzerland on grounds of the alleged incompatibility of Swiss neutrality with the obligations of members arising out of the Covenant,

<sup>3</sup> *Report on the Work of the League, 1937/38*, Part I, L.N. Document A.6.1938., pp. 213-16, at p. 216. Full particulars of the League building can be found in *The Palace of the League of Nations*, Text by Louis Chéronnet (Paris: L'Illustration, 1938).

<sup>4</sup> About eight million dollars, the Rockefeller gift included.

<sup>5</sup> The corresponding problems of the immunities and privileges of League officials are treated in the chapter on "Special Rights and Prohibitions," *infra*, pp. 265-73.

especially its Article XVI.<sup>6</sup> President Wilson desired to see the headquarters of the League at Geneva and believed therefore that a special effort on the part of the Swiss Government would be advisable. In a conversation with M. William Rappard on February 12, 1919, he asked the Swiss observer at the Peace Conference whether his government could not be induced "to make some tempting offer. The cession of a small area to be made into an international 'District of Columbia' might, he thought, facilitate matters." In M. Rappard's opinion this could not be realized. "To make of the Canton of Geneva a world 'District of Columbia,' would have meant to separate it from Switzerland or at least to place it in a position in which it would have entertained the same relations with Switzerland as with all the other states members of the League. This was, of course, quite out of the question."<sup>7</sup> President Wilson seemed, however, to have maintained his hopes for an international "District of Columbia" for some time afterwards; for Mr. David Hunter Miller quotes the President, in an entry dated March 18, 1919, as having stated "that the whole canton in which the seat of the League was situated will be given to the League for that purpose."<sup>8</sup>

In view of the practical impossibility of achieving such a concession from Switzerland the idea was soon abandoned and nothing more was heard of it in the course of the following negotiations regarding Swiss neutrality. On March 29, 1919, the subcommittee appointed by the League of Nations Commission of the Peace Conference for the purpose of making recommendations in regard to the seat of the League addressed a letter to M. Rappard in order to ascertain "whether, in case Geneva is recommended as the Seat, the Swiss Government would be prepared to place at the disposal of the League, in a suitable situation on the Lake of Geneva near the town of Geneva . . . sufficient ground for the premises of the League and residences for its members and officials."<sup>9</sup> The idea of an international "District of Columbia" had thus been abandoned. But the fact that residences of members and officials of the League were linked up with the premises of the League suggests that it was originally the intention to establish the residences of officials on extraterritorial grounds. This idea was given up, and subsequently mere inviolability of the premises and grounds of the League was con-

<sup>6</sup> See chapter on "The Capital of the League — from the Secretariat Angle," *infra*, pp. 411-12 and 417.

<sup>7</sup> William E. Rappard, *Uniting Europe; The Trend of International Cooperation since the War* (New Haven: Yale University Press, 1930), p. 235.

<sup>8</sup> Miller, *My Diary at the Conference of Paris*, Vol. I, p. 182.

<sup>9</sup> *Ibid.*, Vol. VIII, Document 746, p. 179.

sidered a sufficient safeguard for the operation of the League on Swiss territory.<sup>9a</sup>

The *modus vivendi* concluded in 1926 between the League and the Swiss Federal authorities defining the diplomatic status of the League of Nations and its officials states in Articles II and III that:

The premises in which the services of the League of Nations (Secretariat and International Labour Office) are installed (in the case of buildings entirely occupied by League offices, the buildings themselves, together with gardens and annexes) are inviolable, that is to say, no agent of the public authority may enter them, in the exercise of his duties, without the consent of the Secretariat or of the International Labour Office.

The archives of the League of Nations are inviolable.

Articles V and VI stipulate, *inter alia*, that "customs exemption is granted to the League of Nations in respect of all objects, whether intended to form an integral part of a building or not . . ." and that the League "shall enjoy complete fiscal exemption in respect of its bank assets (current and deposit accounts) and its securities."<sup>10</sup>

The inviolability of the premises and the exclusion of the police authorities from the premises except with the consent of the Secretariat, made it necessary to establish special provisions for the protection of order and security; the League therefore organized its own security service. As a measure of protection for statesmen and delegates, the Swiss police, under special arrangements, was granted access to certain parts of the League's premises during meetings and gatherings (entrance doors, corridors, staircases, etc.). These arrangements did not include, however, the rooms in which the meetings themselves were held. The service of order in the Council chamber, the Assembly hall, or the committee rooms was maintained by uniformed League personnel. These regulations were put to a severe test in 1936, when Haile Selassie, Emperor of Ethiopia, attended the Assembly as first delegate of his nation and addressed the meeting in defense of the rights of his invaded country. The Italian journalists on this occasion staged a shameful demonstration which not only violated the dignity of the proceedings but threatened to disorganize the meeting. The president

<sup>9a</sup> The official residence of the Secretary-General was covered by Article VII, paragraph 5, of the Covenant; the inviolability of residence of the other members of the First Division was respected by the Swiss authorities as a matter of diplomatic courtesy.

<sup>10</sup> "Communications from the Swiss Federal Council concerning the Diplomatic Immunities to be Accorded to the Staff of the League of Nations and of the International Labour Office," L.N. Document C.555.1926.V., in O.J., 1926, pp. 1422-23; Hudson, *International Legislation*, Vol. I, pp. 224-28.

interrupted the session and authorized Swiss police agents to enter the galleries and to eject the disturbers.<sup>11</sup>

Two cases involving the inviolability of the premises and grounds of the League occurred in the twenties. On June 10, 1926, a Hungarian journalist, Ivan de Justh, assaulted Count Bethlen, who represented Hungary on official business at the League. The attack took place in the so-called glass corridor of the League building. De Justh was escorted outside the premises by League officials, where he was arrested and subsequently tried before the Federal Court. The jury based its decision on Articles 42 and 43 of the Federal Penal Code punishing by fine or imprisonment a person for "publicly insulting a foreign nation or its sovereign or a foreign government" and for "insulting or assaulting the representative of a foreign power accredited to the Confederation." The Federal Court considered that the legal provision limiting the protection to the representatives of a foreign power accredited to the Confederation "has actually been extended to the representatives of members of the League of Nations by Article 7, paragraph 4, of the Covenant . . . by being published in the *Recueil Officiel*." The special protection still held, in the opinion of the court, when the offense was committed on the premises of the League of Nations. "For though the last clause of Article 7 of the Covenant provides that 'the buildings and grounds occupied by the League for its offices or its meetings are inviolable,' they are not extraterritorialized."<sup>12</sup>

The other incident referred to occurred in 1927, when Swiss plainclothes men entered the press room within the old League building in search of an antifascist journalist who had entered Switzerland without passport. The journalist in question, Signor a'P., a former secretary of Count Sforza and Nitti when they held office, represented the *Populaire*, a French socialist newspaper, at the League. He had entered Switzerland on the strength of a membership card of the International Association of Journalists accredited to the League, bearing the signature of Sir Eric Drummond.<sup>13</sup> The Swiss policemen requested the journalist to

<sup>11</sup> Eyewitness accounts differ on what actually happened. A reliable witness has put on record that police agents who had been admitted to the building, except for the Assembly hall, fearful that some criminal attempt upon the life of the Ethiopian Emperor might be made, had already penetrated into the hall before the formal authorization had been granted.

<sup>12</sup> Manley O. Hudson, *Cases and Other Materials on International Law*, second edition (St. Paul, Minn.: West Publishing Co., 1936), pp. 795-96.

<sup>13</sup> See chapter on "Public Opinion and the International Center," *supra*, p. 212. The membership card of the association in question contains a request to the members of the League to extend to the holder all possible facilities to enable him to accomplish his duties.

follow them outside the League grounds prior to arresting him. While the extritoriality of the building was clearly violated, the incident was not taken up by the League authorities as a'P. was not forcibly evicted but of his free will accompanied the police without standing on what was considered his right.<sup>14</sup>

Incidents like these were extremely rare and no other attempt to ignore the inviolability of the League premises is recorded. Thanks to mutual collaboration in spirit and letter, the arrangements worked smoothly and to the satisfaction of the League and of the Swiss authorities.

### 3. NIGHT DUTY

In the early twenties, an important communication to the League arrived during a week-end and remained unopened for nearly thirty-six hours. Urgent action by the Secretary-General was delayed. An investigation showed that nobody was to blame individually; a serious gap in the organization had become apparent. This incident led to the setting up of a permanent service, maintained by members of the First Division on the basis of a weekly rotation. "In order to ensure," the Office Rules state, "that no delay occurs in dealing with any urgent official matter, an official shall be on duty at the Secretariat during the night and on Sundays and holidays."<sup>15</sup> The official on night duty had a bedroom in the *Palais des Nations* assigned to him; his duties started immediately after office hours on week-days. On Sundays and holidays his permanent presence was obligatory except for a short interval enabling him, if living less than a mile and a half from the headquarters of the League, to visit his home, or to take his meals in town. Officials were required to leave with the *concierge* the telephone number under which they could be reached during these short periods of absence.

On assuming his duties on Saturday afternoon the official received elaborate instructions informing him of the manner in which he was to deal with certain contingencies and of the persons with whom he was to communicate in each instance. In times of crisis or of disputes under consideration by the League, special instructions informed the official of the steps he was expected to take in case of the arrival of urgent communications. All official telegrams and urgent communications addressed to the Secretary-General or the League were handed to him

<sup>14</sup> A full account of this incident can be found in the *New York Times* of March 12, 1927, p. 4.

<sup>15</sup> *Secretariat Office Rules, op. cit.*, p. 82.

at any hour of the day or night. He had to decide whether immediate action was necessary.

During quiet times the service was a sinecure, the life of the official on night duty resembling a comfortable existence in a better-class hotel. The solitary grandeur of the deserted *Palais des Nations* made the nights passed on duty an unforgettable experience for many members of the international staff. In agitated times or in the days preceding Council and Assembly sessions, night service was anything but tranquil: innumerable telegrams arrived all through the night, preceded sometimes by telephone calls from the main telegraph office; mysterious cipher cables might arrive from China the importance of which the official on duty had no means of judging.

The service was voluntary. A small token payment of about twenty dollars was the only material compensation in later years. Its chief attraction was the two or three days of leave added to the annual leave and, from a psychological point of view, the feeling it gave the official on duty to be for a fleeting moment in the center of all things — the solitary watchman over the destinies of the League. This more than anything else probably accounted for the fact that there was never a dearth of volunteers for the not always comfortable duty as night watchman of the League of Nations.

**PART IV**  
**THE INTERNATIONAL OFFICIAL**

**What we need on the Secretariat of the League  
is not a system, but men and women.**

**CARL J. HAMBRØ, 1930 Assembly**



## A. SUPRANATIONAL ALLEGIANCE

### CHAPTER XVI

#### INTERNATIONAL MAN?

##### I. SIZE OF INTERNATIONAL STAFF

Applied in a broad sense, the term "international official" comprises the international personnel employed at the headquarters of supranational organizations of the type of the League, the ILO, the International Institute of Agriculture, the International Institutes associated with the League, the staff of the Pan American Union in spite of the fact that it has no international civil service status properly speaking, the public international unions and bureaus, the High Commissioners and their central staffs, the Saar Commission and the Saar Plebiscite Staff, and numerous persons entrusted at one time or another with international administrative functions (e.g., persons charged with counting the non-Spanish combatants on the Spanish Republican side at the end of the Civil War, staffs of the various refugee settlement schemes). Moreover, this designation was also applied to members of League committees during the time they were engaged in League business, although the practice of considering them international officials was by no means generally accepted.

In the present study the term "international official" is applied exclusively to the headquarters staff of the League and its autonomous agencies unless expressly stated otherwise. In thus restricting the use of the term, the author does not question the international civil service status of the other categories usually covered by the term international official. He merely considers them as falling outside the scope of the present monograph. It is, however, undeniable that among larger staffs only that of the League Secretariat and the ILO enjoyed a clearly defined international civil service status, and that any study of the problems of international administration in its staff aspect must of necessity concentrate upon investigating the experience gained at Geneva in regard to these headquarters staffs.

The size of the international staff employed at the headquarters of international public organizations in the interwar period has popularly

often been exaggerated. At no time did it exceed 1500. This figure includes the headquarters staff of the League and its autonomous bodies, the members of the staff of the old established international bureaus, and the large staff of the Pan American Union, but it excludes those who served under an international authority without being international civil servants. It includes, within the limits indicated above, everybody, from high officials to messengers with regular employment contracts, but excludes the numerous persons employed by the different international administrations with purely menial duties on short-term contracts. The small over-all size of international staffs will come as a surprise to many.<sup>1</sup> It is primarily due to the nature of the functions performed by international civil servants, which, as has been stated in the first chapter of this book, are ministerial rather than operational and "leave actual implementation of decisions to co-operating national administrations."<sup>2</sup>

Approximately half of all international employees belonged to the League Secretariat, and an attempt will now be made to give a survey of the staff in figures. Curiously enough, it is not easy to establish a reliable table of this kind. The Secretariat published certain figures annually, but they were not reduced to a common denominator for the entire period under consideration.<sup>3</sup> Moreover, these totals referred to the number of posts provided for in the budget irrespective of whether these posts were actually filled in the year in question or not. The following table has therefore been based upon a count of the individual staff members actually serving in the year in question as they were listed, first, in special Staff Lists, and from 1921 on, in the budget issue of the *Official Journal*. The table gives the total of the international staff of the League of Nations, including the members of the Third Division<sup>4</sup> in accordance with the practice of the League, which considered them international officials, subjected them to the staff regulations, and demanded of them adherence to the declaration of fidelity as it did of officials of the two higher divisions.<sup>5</sup> The table includes staff members whose salaries were and are being paid out of grants of the

<sup>1</sup> See Egon Ranshofen-Wertheimer, "Training for International Administration," *Journal of the National Association of Deans of Women*, Vol. VII (June, 1944), p. 160.

<sup>2</sup> London Report, p. 21.

<sup>3</sup> The First Assembly (1920) adopted a resolution stating "that a list of the staff of the Secretariat and of the International Labour Office . . . be published yearly." L.N., *Resolutions adopted by the Assembly during its First Session (November 15th to December 18th, 1920)*, O.J., Special Supplement [No. 4a], p. 24.

<sup>4</sup> For the composition of that Division, see chapter on "Classification of Staff," *infra*, p. 284.

<sup>5</sup> See *infra*, pp. 245-46.

Rockefeller Foundation,<sup>6</sup> and temporary staff and persons with short-term contracts in so far as they occupied posts provided for in the budget or to the extent that they figure in the staff lists published annually.<sup>7</sup> Also included is the personnel of the Branch Offices of the Information Section. A fair percentage of their staff could not be considered "international officials," strictly speaking, but practice tended to give them a status equivalent to that of the staff at the headquarters of the League. Correspondents, however, connected with the Information Section or appointed as liaison agents, chiefly in Latin America, were not looked upon as actually forming part of the international personnel and have therefore been excluded.<sup>8</sup>

Year	Number of officials
1919.....	121 <sup>10</sup>
1920 [End of] <sup>9</sup> .....	182 <sup>11</sup>
1921 (May).....	347 <sup>12</sup>
1922 [August] <sup>9</sup> .....	402 <sup>13</sup>
1923 [October] <sup>9</sup> .....	410 <sup>14</sup>
1924 [End of December] <sup>9</sup> .....	458 <sup>15</sup>
1925 (December 1).....	488 <sup>16</sup>
1926 (December 31).....	494 <sup>17</sup>
1927 (December 31).....	561 <sup>18</sup>
1928 (October 15).....	602 <sup>19</sup>

<sup>6</sup> The number of officials the payment of whose salaries was made possible by appropriations from the Rockefeller Foundation, varied between five in 1923 and twenty in 1933. It was eleven in 1938. Chief beneficiaries were the Library, the Health Section, and the Financial Section and Economic Intelligence Service.

<sup>7</sup> The totals include the staff of the Central Opium Board, consisting of four persons on the average, in spite of the autonomous character of that body, in view of the fact that the Secretary-General exercised administrative jurisdiction over them (see *supra*, pp. 123-24). The military secretaries attached to the Disarmament Section (see *supra*, p. 130) have been included for a similar reason.

<sup>8</sup> The number of persons thus excluded varied between five in 1922 and seven in 1935.

<sup>9</sup> Information within brackets represents author's estimate of the month or period.

<sup>10</sup> L.N., *Secretariat Staff List* (October 16, 1919). Mimeographed.

<sup>11</sup> *Permanent Staff List of the Secretariat*, L.N. Document 20/48/264, not dated; probably issued end of 1920. The figures for 1919 and 1920 do not include those employees who thereafter are listed as belonging to the Third Division. A small number of persons on probation at that time are also excluded for lack of concrete data.

<sup>12</sup> "Staff of the Secretariat," O.J., June, 1921.

<sup>13</sup> "List of the Staff of the Secretariat of the League and of the International Labour Office," O.J., September, 1922.

<sup>14</sup> "Staff List of the Secretariat and the International Labour Office," O.J., October, 1923.

<sup>15</sup> "Staff List of the Secretariat of the League of Nations and of the International Labour Office," O.J., January, 1925.

<sup>16</sup> *Ibid.*, O.J., January, 1926.

<sup>17</sup> *Ibid.*, O.J., January, 1927.

<sup>18</sup> *Ibid.*, O.J., January, 1928.

<sup>19</sup> "Staff Lists of the Secretariat of the League of Nations and of the International Labour Office," O.J., November, 1928.

Year	Number of Officials
1929 (October 15).....	628 <sup>20</sup>
1930 (October 15).....	658 <sup>21</sup>
1931 (October).....	707 <sup>22</sup>
1932 (October).....	700 <sup>23</sup>
1933 (October).....	690 <sup>24</sup>
1934 (November 15).....	636 <sup>25</sup>
1935 (October).....	628 <sup>26</sup>
1936 (October).....	660 <sup>27</sup>
1937 (October).....	661 <sup>28</sup>
1938 (October).....	644 <sup>29</sup>
1939 (December).....	450 <sup>30</sup>
1940 (May).....	423 <sup>31</sup>
1940 (August).....	209 <sup>31</sup>
1941.....	104 <sup>32</sup>
1942.....	95 <sup>33</sup>
1943.....	94 <sup>34</sup>
1944.....	94 <sup>34</sup>

<sup>20</sup> "Staff Lists of the Secretariat of the League of Nations and of the International Labour Office," O.J., October, 1929.

<sup>21</sup> *Ibid.*, O.J., October, 1930.

<sup>22</sup> *Ibid.*, O.J., October, 1932.

<sup>23</sup> *Ibid.*, O.J., October, 1934 (Part II).

<sup>24</sup> *Ibid.*, O.J., October, 1936.

<sup>25</sup> *Ibid.*, O.J., October, 1938.

<sup>26</sup> *Ibid.*, O.J., November-December, 1939 (Part I). The actual total at that time was 516 but 67 officials figuring in the staff list, of whom about one third belonged to the Third Division, had their contracts suspended and were not actually working in the Secretariat in the fall of 1939.

<sup>27</sup> *Report on the Work of the League, 1941-1942, Submitted by the Acting Secretary-General*, L.N. Document C.35.M.35.1942., p. 81. In the original *Budget for the Twenty-Second Financial Period (1940), Part I-Secretariat*, L.N. Document A.4.1939.X., p. 15, the number of posts provided for 1940 was 605 (including Secretariat of Permanent Central Board). The figures given for the year 1940 are the totals contained in the Acting Secretary-General's Report. It was not possible to ascertain to what extent they include or exclude the same categories of staff as the preceding figures established by the author.

<sup>28</sup> *Budget for the Twenty-Third Financial Period (1941), General Budget of the League and Part I-Secretariat*, L.N. Document C.153.M.140.1940.X., p. 11. As no Staff List for 1941 is available, the above figure has been established on the basis of the posts provided for in the budget in accordance with the principles set forth above. A certain number of additional officials whose number is not given continued to be employed on a temporary basis.

<sup>29</sup> *Budget for the Twenty-Fourth Financial Period (1942), General Budget of the League and Part I-Secretariat*, L.N. Document C.54.M.51.1941.X., p. 10. The above figure is the number of posts provided for in the budget (see *supra*, note 32).

<sup>30</sup> These figures are based upon the *Budget for the Twenty-Sixth Financial Period (1944), General Budget of the League and Part I-Secretariat*, L.N. Document C.24.M.-24.1943.X., p. 9. The figure does not give an entirely comparable picture of the situation as it does not contain ex-officials re-engaged temporarily and other persons on short-term contracts employed *de facto* for a considerable period. The approximate figure of the whole staff employed in these years was about 115 if these persons are included.

A comparison of the variations of the staff figures with those of the Secretariat budget <sup>35</sup> shows a considerable degree of parallelism, which is not surprising in view of the fact that salaries constituted by far the greatest single item in the Secretariat's budget.<sup>36</sup>

The staff of the Secretariat showed an uninterrupted increase up to the end of 1931, when the consequences of the world economic depression arrested its growth. The slight new increase observed between 1935 and 1937 is chiefly due to appointments in the lower administrative brackets occasioned by the needs of the vastly increased new premises <sup>37</sup> and it has therefore hardly any major significance. The sudden decrease of the staff in 1940 is fully analyzed in a chapter devoted to the crisis caused by the war.<sup>38</sup>

Though all persons included in the above figures were international officials, only the members of the First Division and a small proportion of the Second Division could be considered as being engaged in international activities, properly speaking, i.e., about half of the staff serving between the years 1923-39. In the years preceding and following these sixteen years, almost two thirds of the staff must be placed in the category of persons engaged in international work in the strict sense of the term.<sup>39</sup> Most of the problems of international loyalty, of homogeneity of the staff, of special rights and kindred questions treated in subsequent chapters apply specially or chiefly to this upper stratum of the staff.

## 2. NATIONAL ROOTS AND INTERNATIONAL LOYALTY

Mr. C. Wilfred Jenks, the Legal Adviser of the ILO, listed the essential qualities required of international officials as "integrity, conviction, courage, imagination, drive, and technical grasp — in that order." <sup>40</sup> The sequence reveals the Anglo-Saxon. "Technical grasp" would have probably ranked higher in a catalogue of qualifications established by a Latin or a person of Germanic origin. Among a number of *special* qualifications needed by members of an international staff Mr. Jenks named first: a distinctively international outlook. This qualification has given rise to many discussions. To outsiders, entirely denationalized

<sup>35</sup> See chapter on "League Budget and the Secretariat," *supra*, p. 224.

<sup>36</sup> See chapter on "Compensation and Vacation," *infra*, p. 298.

<sup>37</sup> See chapter on "Economy and Rationalization," *supra*, p. 172.

<sup>38</sup> See chapter on "The Crisis," *infra*, pp. 373-77.

<sup>39</sup> For the proportionate share of the different divisions, see chapter on "Classification of Staff," *infra*, p. 286.

<sup>40</sup> Jenks, "Some Problems of an International Civil Service," *op. cit.*, p. 95.

persons who are internationalists by temperament and cosmopolitans by upbringing and personal taste, would appear to be the persons best qualified for international service. However, experience proved that members of the cosmopolitan tribe, globe trotters, and persons without a country are not ideal recruits, and that the man or woman without roots in his own or any other country, even though a fair technician, will never make a satisfactory international official. Their own lack of national sentiment will make them constitutionally unfit to understand the realities of international life, and their presence will weaken rather than strengthen an international service to which they belong. The need for an international outlook and a general philosophy of life sympathetic to the aims and methods of the international agency must therefore not be confounded with a vague and rootless cosmopolitanism.

The problem has been stated most succinctly by Mr. Harold Butler, a former Director of the International Labor Office, in a discussion on training for international administration.

Mr. Butler pointed out that you require as international officials — not people who regard themselves as citizens of the world, but typical representatives of each country. That looks something like a contradiction, but I am sure it is true, and as far as we could, we made an attempt to get typical citizens of the various countries that composed our organization, because we found that people who were divorced from their national life were not really the kind of people we wanted. They might speak languages wonderfully, and they might know an awful lot about an awful lot of things, but they were not able to give us what we required, which was the viewpoint or the slant of their own nation on the various problems with which they were called upon to deal.<sup>41</sup>

The group of former high officials of the League of Nations responsible for the London Report reflects a similar point of view when stating that international loyalty should not be confounded with "the internationalized loyalty of the man without a country."<sup>42</sup>

The concord of opinion among people with inside experience is thus complete. As long as international administration is not world government, demanding an integral transformation of one's national loyalty into a global loyalty, the person most useful for international service is one combining the best characteristics of his national origins with belief in and devotion to the international agency in which he is employed. This synthesis is possible, as the practice of more than twenty years has proved beyond doubt, and can be achieved even under the system of sovereign states.

<sup>41</sup> *Proceedings of a Conference on Training for International Administration, op. cit.*, p. 9.

<sup>42</sup> *Op. cit.*, p. 18.

## 3. DECLARATION OF FIDELITY

Beginning with 1932, officials of the Secretariat, on assuming office, had to deliver and sign a declaration of fidelity. This declaration was made: in the case of officials of the rank of Director and above, before the Council in public session; <sup>43</sup> in the case of other officials of the First Division, before the Committee on Appointments and Promotion; and in the case of officials of the Second and Third Divisions, before the Sub-Committee on Appointments and Promotion. It reads as follows:

I solemnly undertake to exercise in all loyalty, discretion and conscience the functions that have been entrusted to me as an official of the Secretariat of the League of Nations, to discharge my functions and to regulate my conduct with the interests of the League alone in view and not to seek or receive instructions from any Government or other authority external to the Secretariat of the League of Nations.<sup>44</sup>

Officials who were already in the service of the Secretariat at the time of the enactment of this provision and temporary officials engaged for less than one year were not required to make the declaration.

It is strange that this declaration should have led to misunderstandings. An American student of the League Secretariat expressed the opinion that "the fact that officials of the Secretariat swear not to receive instructions even when given by their own governments logically [*sic*] put the organization to which they swear allegiance above their governments."<sup>45</sup>

In view of the presence of American officials in the League, the Hearst press spread the text across the country. The Department of State felt compelled to make a study of it and came to the conclusion that a declaration of loyalty was not an oath of allegiance, and the agitation subsided. The interpretation of the Department of State was shared by the majority of the governments.<sup>46</sup>

Only one government saw fit to limit officially the individual decision of its citizen to a degree that made the international loyalty of its citizen serving in the International Secretariat a farce. An Italian law of June 16, 1927, requires Italian nationals desirous of entering the service of another government or of a public international agency to obtain the permission of the Ministry of Foreign Affairs or of a competent diplo-

<sup>43</sup> A description of the ceremonial accompanying the delivery of the Declaration of Fidelity by high officials will be found in Pastuhov's *A Guide to the Practice of International Conferences*, *op. cit.*

<sup>44</sup> L.N. Secretariat, *Staff Regulations*, Article 3, paragraph 1.

<sup>45</sup> Moats, *op. cit.*

<sup>46</sup> *Proceedings of the Exploratory Conference on the Experience of the League of Nations Secretariat*, *op. cit.*

matic authority, and to abandon such service upon the order of the government.<sup>47</sup> Even the Nazi Government, though in fact applying a similar policy, never went so far officially.

The value of such a declaration of fidelity should not be exaggerated. In the case of persons sincerely devoted to their international duties it was unnecessary. Persons bent upon acting as national agents within the International Secretariat, on the other hand, certainly did not hesitate to make the declaration if their presence in the International Secretariat could not otherwise be secured. As a matter of fact, a good many persons made this declaration with mental reservations, and "acted on the reservations and not on the oath."<sup>48</sup> The practical importance of this declaration was therefore slight unless the officials themselves had the proper attitude toward their international duties and unless the head of the international agency, in case of breach, was willing to enforce loyalty to the League with all the means at his disposal. The value of the declaration was chiefly of a disciplinary character; it gave the administration a supplementary means for the dismissal of an official in the case of flagrant violation of international duties.

<sup>47</sup> *Raccolta delle Leggi d'Italia*, 1927, Vol. VI, p. 5932. The above summary is taken from Manley O. Hudson, *The Permanent Court of International Justice, 1920-1942; A Treatise* (New York: The Macmillan Company, 1943), p. 331, note.

<sup>48</sup> *Proceedings of the Conference on Experience in International Administration, op. cit.*

## CHAPTER XVII

### PROBLEMS AND PAINS OF GROWTH

#### I. HOMOGENEITY OF THE EARLY SECRETARIAT

With no precedent to guide his fateful decision, the Secretary-General had based the organization of the International Secretariat upon the principle of international civil service. The nucleus of officials assembled by him in 1919-20 consisted of a body of extraordinarily able men passionately devoted to the idea of the League and bound by personal loyalty to the first Secretary-General. The principal officers of the original Secretariat had much in common as far as origins, professional background, and ideals were concerned. A majority came from the so-called liberal professions.<sup>1</sup> Many of the top men had served in the inter-Allied technical bodies where they had acquired personal experience in multinational committees and had learned to appreciate the potentialities of supranational collaboration. An astonishingly small percentage had been associated in one or the other capacity with the work of the Paris Peace Conference — only ten altogether.<sup>2</sup> They were eager to put their wartime experience at the service of the organization of peace. They had not been promised any permanency or any security when joining the staff of the League. In entering the League Secretariat some rejected materially more attractive offers in the belief that a world war would not have been fought in vain if out of it had come an instrument to secure peace. They were, however, not chiliastic in their beliefs though they may have had some illusions regarding the ultimate effectiveness of the League's methods of conciliation and persuasion. On the whole these men were remarkably free from national prejudice. They had served their countries during the war. But they felt free to criticize, even to oppose, their own government. They never thought of soliciting or even accepting orders from their governments — long before rules of exclusive loyalty to the League had been laid down in staff regulations or before any solemn "Declaration of Fidelity" had been thought of. The estrangement between the British, French, and Italian governments that occurred in the early twenties had therefore little effect

<sup>1</sup> See chapter on "Background and Interests," *infra*, pp. 404-5.

<sup>2</sup> According to the different personnel and delegation lists reproduced in Miller, *My Diary at the Conference of Paris*, *passim*.

upon their collaboration with each other. League-centered, they judged their governments according to their League policy and not the League according to the policies of their governments. If they sinned against the civil service rules of neutrality it was rather by preaching to their governments understanding of the rôle of the League in world affairs than by acting within the League on behalf of their governments.

This applied especially to the British, including those from the Dominions. These British officials were certainly the ones who most earnestly strove to be objective, impartial, and international in their daily practice. Having been actively engaged in defeating Germany, they were now least swayed by prejudices against their erstwhile foes.

The attitude of the early French officials was similar, with one major difference. While the British officials, in accordance with the point of view held by the majority of their countrymen, accepted the Versailles Treaty as a *fait accompli*, without liking it, the French, consciously or subconsciously, identified the Versailles settlement with international justice. Some of the French officials were *normaliens*.<sup>3</sup> This created a certain progressive freemasonry among them and guaranteed an intellectual level which was difficult to match by others. On the whole they were more politically conscious than the British.

The so-called "neutral" members of the early Secretariat had chiefly been chosen from among citizens of neutral European States who had shown sympathy and understanding for the Allied cause during World War I or had witnessed the Allied effort from London or Paris. Most of them had been recruited in London and Paris, where they had served in some official capacity. Moreover, quite a few of the members from previously neutral countries had worked in Allied capitals as journalists or had been in touch with Allied authorities in connection with social and humanitarian activities undertaken by their governments (prisoners of war, etc.). No criticism is implied in this reference to the pro-Allied bias on the part of the early neutrals in the League. The facts are recorded solely in order to explain why, in spite of the incorporation of neutrals, spiritual unity and strength could be achieved at an early date.

If the atmosphere of the Secretariat was distinctly pro-Allied in the first part of the twenties, nevertheless, it was by no means narrow or nationalistic. The best proof of this is the attitude toward the admission of Germany into the League — one of the most hotly contested ques-

<sup>3</sup> Former pupils of the Ecole Normale Supérieure (Paris), known the world over for the high standard of its training of educators.

tions in the early twenties. Long before the international situation had become ripe for the entry of Germany into the League practically the whole Secretariat favored this step; not out of any pro-German sympathies but out of the belief that the absence of any major power was in itself an element of weakness, and that the spirit of war should be liquidated as soon as possible in order to begin the reconstruction of the world. Having fought the Germans on the battlefield or having contributed to the defeat of Germany as officials of the inter-Allied bodies, these men desired to integrate Germany into the society of nations. When after many years of delay Germany approached the League for admission, the Secretariat worked hard to remove all obstacles.

In view of this high degree of homogeneity it was not astonishing that a common approach and a common defense mechanism against outsiders developed more quickly than could be expected. This was of great importance in later years when the inner cohesion was severely challenged.

## 2. THE REVISIONIST AND ANTIDEMOCRATIC CHALLENGE

The first threat to the original homogeneity of the Secretariat was a mere consequence of the growth of the Secretariat. To cope with the rapidly increasing work more and more officials had to be appointed, and these new posts had to be filled not by Britishers and Frenchmen, who held at that time an over-proportionate number of posts, but by nationals of other States who had not shared in the Allied war effort. Moreover, many of these newcomers were not as independent of national influences by origin, education, or temperament as the original members. Some of the newcomers had been diplomats or ministerial officials and they needed some time before they fully realized that they had ceased to be national officials. On the whole, the assimilation of newcomers proceeded smoothly. The individual was always free to resign if he found the atmosphere of the Secretariat and the character of his duties uncongenial. This happened in a few instances but such cases were rare indeed. After a period of bewilderment the new official usually began to identify himself with the Secretariat. This was facilitated by the friendliness with which he was received, and the complete absence of any attempt at indoctrination. It was considered better to allow him to find things out for himself rather than to give the impression that he had become a mere cog in a vast machinery.

The first serious test of the inner coherence of the Secretariat came

with the establishment of a Fascist government in Italy. The original Italian officials had been fully integrated into the Secretariat. They were considered, and were in reality, adherents of the League idea, though their loyalty was perhaps of a slightly cooler nature and though they might have been somewhat temperamentally more cynical.<sup>4</sup> The fact that after the victory of Fascism most Italians remained at their posts somewhat blurred the recognition of the significance of the change which had occurred in Italy. Moreover, Fascist Italy went out of its way, in its first and uncertain stage, to proclaim its pacific character, its desire to keep in close relations with its wartime allies and to collaborate with the League.<sup>5</sup> Slowly, however, personnel changes were effected. The new candidates were Fascists or former liberals who had made their peace with Fascism. Everything was handled by Rome in a soft manner. As the Fascist government professed its adherence to the spirit and the letter of the Covenant there was no visible incompatibility at that time between the Fascist officials and their international duties. They may have been alien bodies in the organism of the Secretariat, but as yet they did not obstruct or endanger any of its important functions. Moreover, the feeling was general at that period that Italy had been unfairly treated at the Peace Conference and that Fascism was chiefly a matter for home consumption.

Serious difficulties arose when Italian foreign policy became openly dynamic and Italy began to back up German revisionist aims. But the actual challenge came later, when Italy broke the Covenant, attacked Ethiopia, and challenged the community of peaceful nations. Between 1925 and 1935, Italian officials moved away from the community of purpose which had linked them to the bulk of the Secretariat. To the dismay of their colleagues they considered themselves more and more national representatives, Fascist propagandists within the Secretariat, finally agents. The development reached its climax with the

<sup>4</sup> The spirit in which some of them joined the Secretariat is reflected in the following description contained in the autobiographical book *Laughing Diplomat* by Daniele Varè (London: John Murray, 1938), p. 173, one of the earliest Italian officials of the Secretariat: "For my part I was inclined to agree with Clémenceau that the creation of the League was premature *sans une préparation d'âmes*. But I went to Geneva with an inquiring mind, and I was willing to enter into the spirit of the thing, fearing only that an international parliament might not be able to solve questions effectively. . . . But I believed that on the whole, professional diplomats might find their work made easier if the League became a meeting-place and a focus of conciliation. That would be enough to begin with."

<sup>5</sup> The one notable exception was the bombardment and seizure of Corfu, which early illustrated the dangers inherent in the Fascist foreign policy. The subsequent evacuation of that island, under the pressure of the Conference of Ambassadors, suggested however that Mussolini did not want to force issues at that time.

appointment of Marquis Paulucci di Calboli Barone to the post of Italian Under Secretary-General. His rise to influence had been a typical Fascist success story, he cared little for the League, much more for the good-will of Mussolini, whose Chief of Cabinet he had been. He broke all Secretariat traditions, all written and unwritten rules, by organizing the Italian officials into a kind of cell. He cut across administrative hierarchies by establishing himself as the "boss" of all Italian officials, disregarding in a high-handed manner the needs and necessities of the services in which his co-nationals worked. He challenged the authority of the Secretary-General, who was thus confronted by the horns of a dilemma and had either to accept the situation and risk the danger of demoralizing the whole Secretariat or to meet the Italian challenge. To enforce the rules and regulations would have been desirable from the point of view of his own authority and of the morale of the staff, and would have been clearly within his authority. But such a step would have been tantamount under the given circumstances to defying a member State holding a permanent seat in the Council. A crisis in the relationship between the League and Italy would have been inevitable. The Secretary-General of the League would have been pitted against a big power, and the outcome would have been a defeat for the Secretary-General. The other countries, especially Britain and France, more interested in good relations with other big powers than in the morale of the Secretariat, would not have backed the head of the administration, particularly as they were trying at that time to appease Mussolini in order to prevent his moving into the revisionist camp. Thus the Secretariat had to suffer. But as the officials recognized the dilemma in which their leader had been placed, and as the morale of the Secretariat was still extraordinarily high, no irreparable damage resulted.

The case of the German officials was somewhat different. Germany entered the League in 1926, following the conclusion of the Locarno Treaty. At that time Germany had a democratic government and its foreign minister, Dr. Stresemann, was considered one of the outstanding architects of peace. The German officials who joined the staff of the League in 1926 were not citizens of a totalitarian power. They were not bound by the same kind of absolute loyalty as the Italian officials after the advent of Fascism, but in another manner they constituted an alien body in the Secretariat. They were citizens of a country that had lost the war. Germany had not been allowed to join the League at the same time as the original members and had lost colonies and certain prov-

inces. It had been unilaterally disarmed. The League had been entrusted with the supervision of the mandated territories, the majority of which were former German colonies. The peace treaties had made the League the temporary trustee of the Saar Basin and the guarantor of the independence and integrity of the Constitution of Danzig. Some of the minority populations entrusted to the care of the League consisted of former Germans. Moreover, the League Covenant in the minds of the overwhelming majority of the German people was compromised by forming part of the Versailles settlement which they detested. The League was heavily mortgaged in the eyes even of liberal Germans.

It was natural, under these circumstances, that German League officials could not and would not approach political questions in the spirit which animated the old nucleus of League officials. Their instinctive approach to the questions concerning revision of treaties, the status of minorities, and mandates could not but be different. Moreover, in contrast to the bulk of the old League personnel, they were, in their majority, former national officials who had been given leaves of absence by their ministries. Unlike the greater part of their colleagues, most of them desired to return to their national civil service after having completed their League service. It is a moot question whether the German Government had presented officials as candidates for the League posts in order to maintain a hold upon them, or whether German thoroughness could not conceive of persons being appointed to higher administrative positions unless they had had civil service training and experience. Whatever the reason, Germany appeared in the Secretariat with a contingent of well-disciplined and experienced administrators, not necessarily unfriendly to the League and to its purpose, but individually and collectively bent upon making the German point of view felt in Geneva.

Their administrative experience, which was greater than that of the majority of their colleagues, and their general civil service attitude, stood them in good stead in their League activity and made them useful collaborators, especially in the technical sections. While they kept closely in touch with each other, they never, until the ascendancy of Hitler to power, formed a cell on the Italian pattern, nor did they ever submit to the authority of the German Under Secretary-General in the same manner as the Italians accepted that of the top-ranking Italian official. As long as and to the extent that they were not prevented by Berlin from serving the League loyally, they were reliable if not inspiring, and were by no means disliked or distrusted by their colleagues,

although they never fully merged into the spirit of the Secretariat. Their situation was, however, an unhappy one from the start. Their loyalty was divided; the attempt to serve simultaneously the League and their fatherland amounted to something akin to squaring the circle.

With the establishment of the Third Reich the situation changed. The majority of the German officials — though not all — accepted or adopted the creed of the Third Reich. Fortunately, this absurd situation lasted only a short time. Hitler, who had taken over the government in January, 1933, withdrew Germany from the League in October of the same year, and most of the German officials left a short time afterwards on orders from Berlin. The questionable activities in which some of them became involved on orders from the Third Reich after their resignation from the League subsequently cast grave doubt upon all their former activities at Geneva.<sup>6</sup> The truth is probably that with typical German readiness to obey orders they carried out the Secretary-General's injunctions with a fair amount of loyalty as long, and in so far, as his authority was not overruled by Berlin and that they executed Hitler's orders when he became their master and demanded exclusive allegiance.

The problem described above presented itself also in regard to nationals of other countries though it never assumed similar proportions in their case. The decay of democracy in Europe, beginning as early as 1919 with the establishment of the authoritarian Horthy régime in Hungary and spreading over most central and southeastern European States from that time on until the middle thirties, created comparable problems. Such a difficulty, as a matter of fact, confronts every international agency sooner or later unless its membership is absolutely homogeneous. What happened at Geneva was not accidental; the major political developments could not fail to reflect themselves in the Geneva looking-glass.

Any attempt to evaluate this experience from a more general point of view must concentrate on two aspects: first, the effect of changes in the internal régime of member States upon the coherence of the international agency, and, secondly, the difficulties created by such developments for the recruiting of international personnel.

The answer to the first question is already implied in the description

<sup>6</sup> The sinister rôle played by one of them, a former German naval officer for many years a member of the Disarmament Section, in the German invasion of Norway in 1940, has been exposed by Carl J. Hambro in his record of the invasion of his country: *I Saw It Happen in Norway* (New York and London: D. Appleton-Century Company, Incorporated, 1940), p. 177.

of the developments in the Italian League camp. As long as a government is democratic, its hold over an international official is limited, for it never resorts to sanctions against its citizens, such as denaturalization, expropriation, concentration camps, etc. Moreover, democracy recognizes the right of its citizens to a considerable amount of expressed disagreement with official policies. The moment a country abandons democratic principles, the individual citizen is placed at the mercy of arbitrary measures; the hold his government exercises over him increases in mathematical progression to the degree of antidemocratic transformation the country undergoes. While, on the whole, authoritarian or semifascist countries of the type of the Pilsudsky régime in Poland or the Dollfuss-Schuschnigg régime in Austria did not demand particular services from their nationals within international agencies, fully totalitarian régimes invariably did. And in the proportion in which the hold of the government over the individual increased, the reliability of the individual in his international work decreased. Apart from the petty measure of declining to grant the recalcitrant official's annual increment, the Secretary-General possessed really only one weapon — dismissal. Yet he could not afford to use this weapon in the case of nationals of major powers because of fear of political sanctions on the part of the government in question, as has been shown above. The decay of democracy in the Europe of the interwar period resulted therefore in a growing inability of the head of the international administration to exact from some of his subordinates that loyalty which they had solemnly pledged on assuming office.<sup>7</sup>

The second aspect, the increasing difficulty of recruiting the right type of staff, is more complex. As long as governments were democratic the Secretary-General could draw his recruits from a very broad layer. Democracies did not on the whole try to impose candidates upon the League, nor did they freely veto a candidate unless he was openly connected with violent antigovernmental activities. A person who was *persona non grata* to a democracy at home was not, as a rule, a suitable type of candidate for international service under any circumstances. With the abandonment of democratic principles the situation changed. The very qualities that had made a candidate from those countries an ideal recruit, now invariably disqualified him in the eyes of his own government. Candidates who now received the backing of their home governments were as a rule nationalists, members of the antidemocratic governmental party that usually enjoyed a monopolistic position in

<sup>7</sup> See chapter on "International Man," *supra*, pp. 245-46.

authoritarian countries, and potential agents. The circle of persons from which the candidate might be chosen without slight to his government was thus narrowed. It became more and more difficult to select candidates with an international outlook who would also be acceptable to their governments. The Secretary-General was obliged to appoint persons he would certainly not have chosen had he retained a free hand. Such persons were mentally and temperamentally of a different fiber. They were considered instinctively as outsiders by their colleagues and they themselves found the Geneva atmosphere uncongenial.

Such developments created problems far beyond the comparatively minor question of individual trustworthiness or the individual qualifications of newcomers to the Secretariat. They threatened to demoralize the whole body of those who were determined to maintain their loyalty to the League and who thus found themselves in a serious moral dilemma. For as soon as one group or groups within the Secretariat organized themselves into national nuclei, played national politics, and served as observers, agents, and spies for their governments within the international body, those remaining faithful to the League put their own countries at distinct disadvantage.

As stated previously, there were times when certain governments were informed by some of their countrymen within the Secretariat of the most confidential developments, of which London or even Paris may have been totally unaware.<sup>3</sup> If this practice did not assume really dangerous proportions, it was due to the fact that London and Paris were engaged at the time in a policy of weakness and compliance with the rising power and impudence of the totalitarian countries. It was due even more, however, to the fact that these developments occurred at a time when the center of international politics had already begun to shift away from Geneva. What happened at Geneva had, in itself, become less important. The decline of international ethics in that center was therefore of less consequence than would have been the case had similar developments taken place in the heyday of League influence.

<sup>3</sup> See chapter on "The High Directorate," *supra*, p. 70.

## B. INTERNATIONAL CIVIL SERVICE CODE

### CHAPTER XVIII

#### CONTRACTUAL STATUS AND SAFEGUARDS

##### I. STAFF REGULATIONS

The rules governing the relationships between the international staff and the head of the administration, the conditions regulating appointment, service, and the termination of service, as well as the rights and duties of the individual members of the staff, were embodied in Staff Regulations. These regulations tended to become, in the words of a French lawyer, "the common law <sup>1</sup> governing the status of international officialdom." <sup>2</sup>

"Provisional Statutes for the Staff of the International Secretariat" were first issued in June, 1921, incorporating the rules and regulations in force at that time.

The Noblemaire Report of November, 1921, considered it —

extremely important that definite terms of engagement should be established for the staff without delay and on the model of all great administrations — fixed conditions indicating its rights in concrete form and giving explicit information as to its obligations. Such terms would safeguard the staff from the very natural feeling of insecurity. . . . The Fourth Committee urges that this reform should be promptly effected. The Committee fully realises the difficulties involved in the drawing up of detailed regulations and conditions of service which have to apply to a staff of such varied nationalities and occupations.<sup>3</sup>

The recommendations of the Noblemaire Report led to numerous changes in the structure of the Secretariat and necessitated considerable amendment of the rules determining the activities of the international staff. Later, further amendments were required in order to incorporate the decisions made by the 1930, 1931, and 1932 Assemblies. The first definitive edition of the Staff Regulations was issued on January 1, 1932, the last complete edition in March, 1933. Subsequent amendments were issued in the shape of loose leaves for insertion in the appropriate places.

<sup>1</sup> *Droit commun*, that is, the set of rules that would apply to the relationship between the official and the international body unless otherwise provided for by the Assembly.

<sup>2</sup> Cagne, *op. cit.*, p. 39 (translation author's).

<sup>3</sup> *Op. cit.*, p. 6.

A comparison of the provisional and definitive Staff Regulations conveys a good picture of the changes effected in the first ten years. They reflect a definite shift of emphasis from rights to duties of officials. The definitive rules outline and define with greater force and detail the international character of the officials and their duties and stress directly and indirectly with far more emphasis the civil service character of the staff of the League.

An example may illustrate this. According to the Provisional Statutes, no official may exercise public functions outside the Secretariat "unless with the explicit agreement of the Secretary-General." The definitive Staff Regulations, on the other hand, state squarely that "no official may accept or hold or engage in any office or occupation" which is incompatible with his duties, especially of a political nature.<sup>4</sup> Moreover, these regulations go into great detail regarding a large number of contingencies on which the Provisional Statutes were silent, as evidenced from the fact that the former cover more than three times as much space as the provisional regulations.

## 2. THE LEGAL NATURE OF THE CONTRACT

In reply to a question asked by a member of the Fourth Committee of the Sixth Assembly,<sup>5</sup> the Secretary-General explained that the relations between the officials of the Secretariat and the League were regulated by contract concluded between the League and the official, supplemented by the Staff Regulations, and that accordingly the Staff Regulations constituted a guarantee for the official. Legally, the contract concluded between a person entering the service and the League is of a complicated nature. The contractual relationship between the League and its officials was anomalous, as the Secretary-General and his representatives were non-suable. Moreover, there was no national authority competent and able to enforce claims. The question was most fully and authoritatively investigated in 1925, when a claim submitted to the Council by a former League official was examined by a committee of jurists appointed by the Council.<sup>6</sup> According to the report of this committee, a contract between a person and the Secretary-General "cannot be judged purely according to the principles of private law and

<sup>4</sup> See chapter on "Special Rights and Prohibitions," *infra*, pp. 273-76.

<sup>5</sup> "Financial Questions; General Report of the Fourth Committee to the Assembly," L.N. Document A.124.1925.X., adopted on September 26, 1925, in O.J., Special Supplement No. 33, p. 422.

<sup>6</sup> See also *infra*, p. 260.

civil legislation but must be considered mainly in the light of the principles of public law and administrative legislation." In the opinion of these jurists, "Relations connected with public employment are always governed by the exigencies of the public interest, to which the private and personal interests of the officials must necessarily give way." Relations of this nature cannot be regarded as if they existed between two equal legal persons who have concluded a contract based upon equality of rights and obligations.

The administration must always retain discretionary powers, as otherwise it could not ensure the development of these relations with due regard for the recognised public requirements for the satisfaction of which they were constituted.<sup>7</sup>

This does not mean, however, that a public administration can exercise its power in an arbitrary manner. It must always have regard for the public interest and must respect the principles of justice. Neither does this general principle mean that "in relations connected with public employment, no rights in favour of officials can be recognised. The existence of such rights, especially economic rights, may be admitted, but with limitations and subject to the rights of the administration and in no case by virtue of a contractual engagement." The report continues by insisting that —

The same principles must undoubtedly be applied to the legal relations between the Secretary-General of the League of Nations and the officials of the Secretariat. If the relations connected with employment in individual States must be subject to the requirements of the public interest, to which they owe their existence, the same must *a fortiori* be true in the case of the League of Nations, which is called upon to satisfy requirements which are much more complicated in that they are international, and which, in consequence, must exercise a still wider discretionary power in respect of the engagement, retention and dismissal of officials.<sup>8</sup>

The report concludes its general findings by pointing out that the Staff Regulations confirmed the powers invested in the Secretary-General by the Covenant "subject to certain secondary guarantees."

M. André Cagne, who had the advice and assistance of such eminent French jurists as M. Geouffre de La Pradelle, M. Basdevant, and M. Scelle, pointed out that the questions dealt with by the committee of jurists in 1925 were definitely decided by a resolution of the 1931 Assembly, according to which all future appointments were subject to such modifications as might be necessary to bring them into conformity with any decision of the Assembly. M. Cagne furthermore held that,

<sup>7</sup> O.J., 1925, p. 1443.

<sup>8</sup> *Ibid.*

beginning with 1931, a distinction began to be made between the rules governing the organization of the service and those guaranteeing the material rights of the officials, the latter possessing contractual character — the Secretary-General enjoying the right to change the organization but not to alter acquired rights, which include agreed salaries. According to this writer, the evolution found its conclusion in the recognition with respect to officials "of a status deriving from objective law, the rules of which are governed by procedures comparable to those applied in municipal law transposed into the framework of international law."<sup>9</sup>

The so-called "acquired rights," so important in the concept of civil service to the Latin and Germanic mind, are laid down in Articles 78 and 80 of the Staff Regulations, which state:

Article 78. — 3. No exceptional measure not in conformity with the present Regulations may be taken except with the agreement of the official concerned and subject to its not being prejudicial to any other official or to any category of officials.

Article 80. The present Regulations and their Annexes may be amended by the Secretary-General, without prejudice always to the acquired rights of officials. Any amendments that the Secretary-General may have introduced shall be reported to the Assembly at its next ordinary session.

### 3. THE ADMINISTRATIVE TRIBUNAL

The principle that the League and its officials were immune from the jurisdiction of national courts had as a corollary the fact that no national judiciary was competent to settle disputes between officials and their employer arising out of their employment contract. Moreover, the absence in the beginning of any institution for the safeguarding of the "acquired rights" of international officials comparable to the French *Conseil d'Etat* or to the German *Verwaltungsgerichtshof* was deeply felt by European officials who had grown up under a régime of civil service guarantees and rights.

The absence of normal legal protection led in the beginning to a kind of makeshift solution. The conclusion was drawn, based upon the duty incumbent upon the Council to confirm appointments, that officials were entitled to appeal to the Council in case of dismissal. The question of appeal to the Council occupied the First Assembly, which, after a prolonged debate in the 28th Plenary Meeting, adopted a recommendation reading as follows:

<sup>9</sup> Cagne, *op. cit.*, p. 43 (translation author's).

That all Members of the Secretariat and of the International Labour Office appointed for a period of five years or more by the Secretary-General or the Director of the International Labour Office shall, in the case of dismissal, have the right of appeal to the Council or to the Governing Body of the International Labour Office as the case may be.<sup>10</sup>

The procedure was put to a test in 1925, when a former member of the staff, M. F. M., appealed to the Council. M. F. M. had, in 1921, been relieved of his position as head of the Précis-Writing Section, and had been put *en disponibilité*<sup>11</sup> without salary, after a transitional period. In spite of certain hopes held out to him he was never reinstated. The official lodged a complaint with the Council, which on June 8, 1925, appointed a commission of jurists, declaring on that occasion "in advance that it will adopt the conclusions of this body as its own decision in the case." The committee of jurists submitted its report in August, 1925, and the Council, in a private meeting, adopted without discussion the conclusions of the report.

The incident raised the question whether the whole procedure was satisfactory, as it threatened to embroil the Council in third-rate questions of a personal nature should dissatisfied officials make it a habit to appeal to the Council in the future.

By a resolution adopted on September 26, 1927, the League of Nations Assembly adopted a Statute establishing an Administrative Tribunal with power of jurisdiction beginning January 1, 1928. The resolution stated, *inter alia*, that the Assembly of 1931 "will consider, in the light of the experience gained, whether there is reason to abrogate or amend the said Statute."<sup>12</sup> The Rules of Court were promulgated by the Tribunal at its first session, February 2, 1928.

The Administrative Tribunal was conceived as a purely judicial body composed of persons of different nationalities appointed by the Council, and was competent to hear and decide upon —

complaints alleging non-observance, in substance or in form, of the terms of appointment of officials of the Secretariat or of the International Labour Office, and of such provisions of the Staff Regulations as are applicable to the case.<sup>13</sup>

<sup>10</sup> L.N., *The Records of the First Assembly, Plenary Meetings* (Geneva, 1920), pp. 663-64.

<sup>11</sup> See chapter on "Duration of Service, Advancement, and Security," *infra*, p. 304.

<sup>12</sup> L.N., *Resolutions and Recommendations Adopted by the Assembly during its Eighth Ordinary Session (September 5th to 27th, 1927)*, Geneva, 1927; O.J., Special Supplement No. 53, p. 27.

<sup>13</sup> *Ibid.*, p. 28. For the complete text of both the Statute and the Rules of Court of the League of Nations Administrative Tribunal, see Hudson, *International Legislation*, Vol. I, pp. 212-23.

It was also competent to settle any dispute concerning the compensation provided for by the relevant articles of the Staff Regulations of the Secretariat and of the ILO, and to fix finally the amount of compensation, if any, which was to be paid. The Tribunal was open to any official, even if his employment had ceased, and to any person on whom the official's rights had devolved on his death, as well as to any other person who could show that he was entitled to some right under the terms of appointment of a deceased official or under provisions of the Staff Regulations on which the official could rely.

One ordinary session was held annually "subject to there being cases on its list and to such cases being . . . of a character to justify holding the session." The Tribunal decided in each case whether the oral proceedings should be public or in camera. Its decisions were taken by a majority vote and judgments were final and without appeal. A number of special rules were laid down governing the receivability of complaints and the institution of complaints before the Tribunal.

The Tribunal consisted of three judges and three deputy judges, all of different nationalities, appointed by the Council of the League for three years.

The administrative arrangements necessary for the operation of the Tribunal fell upon the Secretariat and the ILO. It was required that the Registrar be a member of the staff of the League Secretariat and the Assistant Registrar a member of the staff of the ILO.

The Tribunal rendered twenty-one judgments; some twenty cases remained pending. Manley O. Hudson stated in his study *International Tribunals; Past and Future*, in a chapter on "Administrative Tribunals of International Organizations," to which the attention of readers particularly interested in this problem is drawn, that "As affirmative relief was given in only eight cases, the jurisprudence did not establish an extensive body of case-law."<sup>13a</sup>

The Tribunal served a useful purpose. While it led a shadowy existence at first, it played an important rôle toward the end, when dismissals created hardships or were not considered legally justified by individual members of the Secretariat staff who had been subject to sanctions.

The creation of the Tribunal was differently interpreted<sup>14</sup> and the

<sup>13a</sup> Washington: Carnegie Endowment for International Peace and Brookings Institution, 1944, p. 221.

<sup>14</sup> The creation of the Administrative Tribunal has led to interpretations that seem considerably to overshoot the mark. An American historian of the League states, for example, that in consequence of the existence of this Tribunal "the League officials

Tribunal itself variously judged by officials of different nationalities.<sup>15</sup> Persons brought up in the British tradition could never reconcile themselves entirely to the whole idea of appealing against the decision of the head of the administration. They accepted his authority as a matter of fact. Persons brought up in the French or some other continental civil service tradition felt differently. To them the rights, as well as the duties of officials, are a matter of fundamental importance, and they desired to have a machinery giving them recourse against possible arbitrary measures. Events in 1940 fully justified their apprehensions.<sup>16</sup>

The whole evolution which found its conclusion with the establishment of the Tribunal may perhaps best be characterized as a fair and workable compromise between the concepts of Anglo-Saxon law with respect to civil service tradition and Latin and Germanic concepts of civil service rights and safeguards.<sup>16a</sup>

#### 4. INTERNAL COMMITTEES

The Staff Regulations provided for a number of statutory internal committees created for the purpose of assisting the Secretary-General in his activities as administrative head of the Secretariat. Their character, responsibilities, and composition, and the importance attributed to them by the administration and staff varied from case to case.

Three of these committees have already been described: the *Committee and Sub-Committee on Appointments and Promotion*, which advised the Secretary-General in regard to appointments, promotion, and discharge of officials, and the *Regrading Committee*, which was charged with questions pertaining to the organization of the staff. These committees were composed of officials appointed by the Secretary-General

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live under a miniature form of government of their own creation." John I. Knudson, *A History of the League of Nations* (Atlanta, Georgia: Turner E. Smith & Co., 1938), p. 54. This interpretation does not seem quite correct, chiefly because the existence of a special jurisdiction or judiciary does not in itself imply government, as the existence of many types of commercial jurisdiction concluded under private compacts between business firms clearly proves.

<sup>15</sup> *Proceedings of the Exploratory Conference on the Experience of the League of Nations Secretariat, op. cit.*

<sup>16</sup> See chapter on "The Crisis," *infra*, pp. 373-77.

<sup>16a</sup> The particular importance which the settlement of internal administrative disputes is likely to assume in the post-war era with its numerous international organizations, is reflected in the fact that the Constitution of the Food and Agriculture Organization of the United Nations contains a special paragraph stipulating that "the Conference shall make provision for the determination by an administrative tribunal of disputes relating to the conditions and terms of appointment of members of the staff."

and of *ex-officio* members such as for instance the Treasurer and the officer in charge of internal administration.

Besides these committees charged with questions of appointment and promotion, a number of committees were created for the purpose of preventing arbitrary measures on the part of the administration, whose duty it was to watch over the conduct, efficiency, and rights of the staff. The most important among them was the *Judicial Committee*,<sup>17</sup> which consisted of two members nominated by the Secretary-General, an equal number appointed by the staff, and one elected by the other four members. This committee was, according to its terms of reference, a legal committee. It was charged with advising the Secretary-General in all cases of "misconduct or wilful failure or negligence," of incapability in the performance of official duties, and of complaints about unjustifiable or unfair treatment on the part of a superior official.

Matters arising out of the application of the Staff Regulations which did not fall within the jurisdiction of one or the other of the committees enumerated previously, were left to the *Administrative Committee*, composed of five members of whom one was appointed by the Secretary-General, three elected by the three Divisions, and a fifth elected by the four other members, with the Treasurer attending *ex officio*.<sup>18</sup>

All these committees were advisory. The Secretary-General retained the final right of decision. It is not easy to draw up a balance sheet on the performance of the Judicial and Administrative Committees. Cases in which their aid was invoked were rare. The whole atmosphere of the Secretariat was not conducive to formal litigation or contests between members of the staff and their superior officers, or between the administration as a whole and the individual official. Except in the very last stage of the Secretariat's active existence mutual trust and respect dominated the relationship. Difficulties and differences of opinion that arose were settled "out of court." Friction between members of the staff was usually quickly settled by transfer of officials to other services within the Secretariat. Quarrelsome persons were removed from the Secretariat upon the very first occasion that offered itself to dispense with their services. It is probably not far from the mark to state that the importance of these committees rested in their existence rather than in their action.

More in evidence than these committees was the Staff Committee,

<sup>17</sup> L.N. Secretariat, *Staff Regulations*, Article 67, pp. 40-41.

<sup>18</sup> The Administrative Committee dealt, for example, with disputes and difficulties arising in the application of the rules governing traveling and removal expenses (see Appendix V, *infra*, pp. 466-77).

conceived as mouthpiece of the staff in its relationship to the head of the administration. Exclusively elected by the staff, its purpose was to ensure "continuous contact between the staff and the Secretary-General," to "make proposals for improvements in the situation of officials, both as regards their conditions of work and their general conditions of life in Geneva."<sup>19</sup> Elections to this committee, in which each of the three Divisions was equitably represented, were supervised by the administration. The Staff Committee was conceived as a kind of safety-valve, but as tensions within the Secretariat rarely if ever reached the danger point it never served in this capacity. Moreover, in contrast to the ILO, whose staff was more actively interested in the literal fulfilment of professional rights by its administration, the "shop steward" aspect of this committee did not appeal to the League staff which had a rather continental European public service and civil service psychology. The whole idea of professional defense and representation did not find a ready response in the minds of the personnel of the Secretariat. The administration, aware of the inner weakness of the committee, treated it officially with respect but with little consideration in practice, with the result that the more active public-spirited members of the staff became less and less eager to devote time and effort to the activities of the committee as the years passed by. For the most part the Staff Committee led a shadowy existence and the occasions were rare when proposals and criticisms made by it led to concrete results.<sup>20</sup>

<sup>19</sup> L.N. Secretariat, *Staff Regulations*, Article 69, pp. 42-43.

<sup>20</sup> Other internal committees, of which the Publications Committee was the most important and useful from a practical point of view, are treated in their appropriate places. They were not statutory and not concerned with the staff and its rights and duties but were of a technical nature, aimed at coordinating and pooling experience of members of the staff for the solution of technical problems.

## CHAPTER XIX

### SPECIAL RIGHTS AND PROHIBITIONS

#### I. DIPLOMATIC PRIVILEGES AND IMMUNITIES <sup>1</sup>

Paragraph 4 of Article VII of the Covenant provides that —

Representatives of the Members of the League and officials of the League when engaged on the business of the League shall enjoy diplomatic privileges and immunities.

This provision, which lacks precision, found concrete implementation, as far as League officials were concerned, first in a provisional arrangement with the Swiss Federal authorities (1921), and subsequently in a *modus vivendi* (1926); the chief clauses of the latter are as follows, so far as they refer to the immunities granted to League officials:

VII. Subject to the provisions of Article IX below, officials of the organisations of the League of Nations at Geneva who are members of the staff of the first category or extra-territorial staff shall enjoy immunity from civil and criminal jurisdiction in Switzerland, unless such immunity is waived by a decision of the Secretary-General or of the Director of the International Labour Office.

The members of the staff of the second category shall enjoy the same privileges in respect of acts performed by them in their official capacity and within the limits of their functions. They shall remain subject to local laws and jurisdiction in respect of acts performed by them in their private capacity.

It is clearly understood, however, that the organisations of the League of Nations at Geneva will endeavour to facilitate the proper administration of justice and execution of police regulations at Geneva.<sup>2</sup>

Article VIII states that officials of the first category enjoy fiscal immunity and gives an interpretation of the character of these exemptions "in accordance with international practice." Members of the staff of the second category are exempted from the taxes on salary and on capital or income, and from the emergency federal war tax.

<sup>1</sup> As it is intended to issue a special monograph by Mr. Martin Hill on the diplomatic immunities and privileges of League officials within this series of studies on international administration, this section is restricted to the minimum compatible with the task of making the present volume an all-round study of the experience of the International Secretariat that can be independently read and consulted.

<sup>2</sup> O.J., 1926, p. 1423; also Hudson, *International Legislation*, Vol. I, pp. 224-28.

Article IX defines the extent of the exceptions appertaining to members of the staff of Swiss nationality.

From the point of view of the immunities they enjoyed, League officials were thus divided into three classes: (a) extraterritorial; (b) non-extraterritorial; (c) Swiss citizens. Officials of the first class enjoy complete immunity from civil and criminal jurisdiction, including complete immunity in fiscal matters (excepting immovable property and indirect taxation). Officials of the second class enjoy immunity from civil and criminal jurisdiction only with respect to their official activities; fiscally they are exempted from taxes on salary and on capital and income, and from emergency federal war tax. Swiss officials, including those of the First Division, enjoy immunity from civil and criminal jurisdiction with respect to acts performed in their official capacity; fiscally they are exempted from direct taxes in regard to their international salaries.

The spirit in which these privileges and the immunities conferred upon officials of the League under Article VII of the Covenant were interpreted by the administration is reflected in Article 1 (paragraph 3) of the Staff Regulations, which states that they —

are conferred upon them in the interest of their duties. They furnish no excuse to the officials who enjoy them for non-performance of their private obligations or failure to observe laws and police regulations. Officials of the Secretariat invoking these privileges and immunities must report to the Secretary-General, with whom it rests to decide whether they shall be waived.

The waiver of diplomatic rights hung like a permanent threat over the heads of officials who might otherwise have been inclined to abuse their position. It was as a whole sufficient to prevent any tendency to hide behind immunities. There are very few cases on record of officials, especially those of the First Division, being involved in civil law suits. These cases concerned exorbitant bills presented to international officials or questions of rents or leases. In some of these instances the impression was justified that an attempt had been made to exploit the official in question. In such contingencies careful inquiries preceded the decision regarding the waiver of immunities. No instance of a criminal suit against a League official has come to the knowledge of the author of this study. As a whole there was no abuse of immunities, and no serious complications ever arose in twenty years, in spite of the presence of some hundreds of persons protected by Article VII of the Covenant in a "small-large city."

Additional arrangements dealing with certain consequences arising out of the differential granting of immunities and exemptions were

concluded between the League and the Swiss authorities. Most of them were never made public. There was, for example, a differentiation between the higher officials, from the Secretary-General down to and including Chiefs of Section, and the other officials of the First Division regarding the customs régime. The higher officials enjoyed full diplomatic customs immunity, including exemption from the examination of their luggage on entering Switzerland. In this respect Members of Section were not "assimilated" to extraterritorial members of diplomatic missions, who enjoyed through precedent and usage far-reaching customs franchise. But as a matter of courtesy, their personal baggage was rarely opened at the frontier on entering Swiss territory, or, as a matter of fact, on entering the territory of any member State. This applied particularly to the officials traveling on diplomatic or ministerial passports (see *infra*, pp. 269-70). In contrast to national diplomatic officials, however, Members of Section, like ordinary citizens, were under the obligation to declare the importation into Switzerland of certain goods for their private use which they had newly acquired abroad.

The only formal arrangement regarding diplomatic immunities into which the League entered was that with the Swiss Confederation. This arrangement was never supplemented by individual agreements with the other member States or by an agreement with the community of member States defining and regulating the status of League officials engaged in official work outside Switzerland. The members of the League were free to interpret and implement in practice the general principles they had accepted in ratifying the Covenant. There was therefore no formal compact between the League and the individual member States according protection to these officials against taxation in their home countries. If the absence of an official arrangement regarding taxes had no serious consequences, this was due to the fact that no country represented by officials in the Secretariat taxed the income from foreign sources of their co-nationals earned abroad. It is possible, however, that this situation might be changed after the present war. This would lead to a differentiation in the net salaries of officials of the same rank according to their origin and would create serious problems for the establishment of an adequate salary level, which in the past was fixed on the assumption that — apart from the statutory deduction for the Pensions Fund — the full salary paid by the League would actually be at the disposal of the recipients.<sup>2a</sup>

<sup>2a</sup> The immunity of officials in fiscal matters had incidentally considerable budgetary advantages for the League. It permitted the establishment of a salary level which would have been considered inadequate had League officials been compelled to defray

International diplomatic practice of the past guaranteed officials of national diplomatic services of certain ranks full enjoyment of immunities on their travels between the receiving and sending country. This analogy is not fully applicable to international officials enjoying diplomatic immunities. Their travels to and from home constitute only a small segment of their activities outside the country to which they are accredited, and in which their immunities are formally recognized. The international character of their functions involves frequent travels all over the globe. Special tasks necessitate their temporary establishment in foreign countries in the dispatch of their international business. The traditions and usages established for the benefit of extraterritorial national officials created therefore few precedents applicable to the peculiar position of international officials. League officials were, in this respect, very much at the mercy of the greater or lesser courtesy of the individual States.

Under these circumstances, satisfactory provision for traveling facilities and documents assumed particular importance. Contrary to widespread belief, the League was not entitled to issue actual passports to its officials. An attempt to authorize the Secretary-General to issue traveling papers which would have served in lieu of passports and would be internationally recognized by the member States was defeated as early as 1920. League officials on official missions were granted, however, on request, so-called *lettres de mission*, which in many cases served a similar purpose, especially in those countries whose official policy tended to expedite the work of the League. There are even cases on record of diplomatic visas being affixed, not to the official's passport, but to these *lettres de mission*.

The misunderstanding alluded to above arose probably from the fact that the League in the first years of its existence issued cards certifying the identity of the holder and the nature of his duties. The issuance of these cards was later discontinued for all practical purposes. Their place was taken by a "*carte de légitimation*" issued not by the League but by the Federal Political Department at Berne to all League officials on the basis of a list established by the Personnel Office of the League. These cards were set up in three different types: (a) pink cards with black stripes for the principal officers; (b) pink cards for all other members of the First Division; (c) blue cards for the remaining staff.

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income taxes on their salaries. In view of the fact that salaries constituted by far the most important single item of expenditure in the League budget, the general tax exemption of a great percentage of officials was decidedly advantageous to the major powers contributing the bulk of the League's expenditure.

The card contained a photograph with signature, the name, nationality, and function of the bearer, the time-limit of its validity (end of the current year), and the signature of the Secretary-General or his representative and of a high official of the Federal Political Department at Berne. It bore the following inscription in French:

DÉPARTEMENT POLITIQUE FÉDÉRAL DIVISION DES AFFAIRES ÉTRANGÈRES

Carte de Légitimation

à l'usage des

AGENTS DE LA SOCIÉTÉ DES NATIONS

Placés par l'article VII du Pacte de la Société des Nations au bénéfice des privilèges et immunités diplomatiques

This card was of special importance to League officials of the First Division traveling on normal passports (see *infra*, p. 270), for it identified the bearer as a person enjoying an internationally recognized diplomatic status<sup>3</sup> under an international compact to which the country in which the official temporarily resided or through which he passed was a party.

On December 15, 1920, the Assembly adopted a resolution recommending that the governments grant their nationals, officials of the First Division, diplomatic passports permitting them to carry out the missions with which they were entrusted "with the benefit of all privileges and immunities provided for in Article 7 of the Covenant." This decision, which lacked the formal character of an international agreement, was not, however, fully acted upon in subsequent years. A number of countries supplied all or some of their co-nationals in the First Division with diplomatic passports, others did not. Some countries, while not granting diplomatic passports properly speaking, provided their co-nationals serving in the International Secretariat with "special" passports, sometimes called "ministerial" passports — an international traveling document which may be classified as being partly a diplomatic, partly an ordinary passport. Such ministerial passports were usually issued to persons of a certain eminence, traveling on business of national importance, for instance, delegates to international conferences. Some member States which restricted the issue of diplomatic passports to members of their diplomatic service were unwilling

<sup>3</sup> In the case of the few stateless officials who had no passport at all this card was not only important but invaluable. It protected them against being treated, especially when traveling, with the disregard which was usually shown by the authorities to political refugees.

to grant such passports to League officials, except those who had belonged to their foreign service.<sup>4</sup>

As the possession of a diplomatic passport was, in the eyes of the local authorities in the different countries, identical with the enjoyment of diplomatic immunities, and as passport officers in fifty countries could not be expected to be familiar with the special status of certain categories of League officials, it would not have been surprising if serious complaints had arisen out of this inequality existing between League officials of equal rank. It must be granted, however, that in the practice of twenty years no serious difficulties developed for the reason that the practice regarding the granting of diplomatic visas was more satisfactory and more uniform than that governing the issuance of diplomatic passports.

As stated, the 1920 Assembly had proposed that members grant officials of the First Division diplomatic passports, but had not been able to induce the governments to adopt a uniform practice. It was more successful, however, in stipulating that diplomatic visas "will be given gratuitously — whenever necessary — on the request of the Secretary-General," to officials traveling on official missions. Diplomatic visas were granted as a matter of routine and courtesy by all governments on all diplomatic and "special" passports. The real importance of this decision lay, therefore, in the fact that it secured to officials traveling on normal passports diplomatic visas in the accomplishment of all official business. Even countries like Britain, which were extremely chary of granting diplomatic passports, made it a rule to grant diplomatic visas whenever a member of the First Division traveled in the interest of the League. The fact remained that this did not fully abolish the inequality of officials, especially in those frequent cases when an official's journey was in the interest of the League without being certified as an "official mission," i.e., in a great number of cases.

This experience strongly suggests that in the future a serious attempt should be made to enable the head of the international organization to issue traveling papers for his officials, if for no other reason than to equalize the position of officials fulfilling similar duties and occupying a similar rank in their status abroad, and in order to protect them from the possibility of arbitrary measures and differential treatment.

The argument has sometimes been advanced that the right of issuing a traveling paper of this kind would be equivalent to granting the

<sup>4</sup> Only two British citizens — Sir Eric Drummond, the Secretary-General, and his principal assistant — held diplomatic passports issued by the British Foreign Office.

international agency a sovereign status. This conclusion is certainly not tenable under international law. All that would be needed would be an international agreement authorizing the head of the international agency to issue such papers, and a promise to recognize these papers in lieu of a passport would answer all requirements; this authorization could always be revoked by the member States on the basis of their sovereign rights.

Apart from specific rules governing the military service of the Swiss officials, there was no formal agreement between League authorities and the member States of the League regarding military service of its officials. In practice, most countries treated their co-nationals serving in the First Division at Geneva in the same manner as their own diplomatic officials and did not call them to arms in normal times. Some countries expressly exempted them from military service even in case of mobilization. In actual practice this caused surprisingly few problems in 1939 for the reason that the greater part of the members of the First Division belonged to age groups not called up at the beginning of the war and because the majority of those normally subject to mobilization orders preferred as a rule to join their service rather than to claim exemption. In many cases developments (the conquest of their countries by the German armies) settled the question before it had seriously arisen.

In the appraisal of the diplomatic immunities granted to League officials two schools of thought confront each other. The opinion of one school has found its expression in the following statement by Dr. Percy E. Corbett:

Diplomatic privilege for the officials of international or supranational organizations is of doubtful utility. The case for maintaining in the modern world those immunities which in the past have been thought due to the mystical dignity of the sovereign state is itself not above controversy. International civil servants, like diplomatic agents, must be of a character that will require no exemption from the laws of any civilized country. If the law imposes a serious impediment upon the performance of an official's duty, that will normally be because he needs restraint and should not be occupying his post.<sup>6</sup>

This evaluation seems to pay too little regard to the unsettled conditions of the world of today. Laws of individual countries might be such as to put obstacles in the way of an unhampered dispatch of their business by international officials. The servants of the community of nations

<sup>6</sup> Percy E. Corbett, *Post-War Worlds* (New York: International Secretariat, Institute of Pacific Relations, 1942), p. 173.

must be protected against any attempt on the part of local authorities to impede their activities. Experience shows that authorities even in totalitarian countries tend to respect diplomatic immunities, and that these exemptions are often the only safeguard against arbitrary measures or against the invocation of special stipulations of national legislation.

In contrast to this opinion, there is, practically speaking, unanimity among former and present League officials in favor of the maintenance, in the future, of diplomatic immunities for international officials<sup>4</sup> comparable, if not necessarily identical, with the provisions made in the twenties between the League and the Swiss Federal authorities. Such immunities constitute in their opinion a *conditio sine quo non* for an efficient working of the international organization and its servants.

Opinions vary, however, regarding the extent to which these exceptions should be granted — quantitatively and qualitatively. There are (a) those who would restrict more closely the circle of officials to whom diplomatic immunities should be granted, and (b) those who would content themselves with a less extended type of diplomatic immunities than those granted by Switzerland to League officials. Those who hold the former view would not automatically include the totality of members of the First Division. Immunities should, in their opinion, be more closely linked with political and diplomatic functions discharged by the officers. This would mean the exclusion of officials employed in the technical (economic, humanitarian) activities and persons employed by the international administration as interpreters and translators, who enjoyed at Geneva the same immunities as the other members of the First Division. Against this it can be said that the boundary lines between political and technical functions are difficult to draw in an international agency of such a type as the League. Technicians are often charged with highly political tasks, as was, for instance, the case in connection with the financial reconstruction of countries in the interwar period. Moreover, it is undesirable, on general grounds, that officials of comparable rank should be differently classified with respect to immunities and should, in consequence, be subject to different treatment on the part of national authorities, particularly when traveling. Such differentiation between persons of similar rank would create or accentuate undesirable class distinctions within the administration and beget jealousies. As an international agency cannot compensate its officials by granting special honors or decorations, such inequalities

<sup>4</sup> See, for instance, London Report, p. 47.

would result in a loss of devotion to their work. In itself of minor importance, discrimination of this kind might affect the *esprit de corps*, the creation and preservation of which is one of the most important elements of efficiency and stability within an international agency.

As to the second point, i.e., the *degree* of diplomatic immunities granted to international officials, it must be taken into consideration that international officials are not protected to the same degree by their governments as are diplomatic officials. There can be no question of reciprocity on the part of the international agency such as exists between countries enjoying normal diplomatic relations. An international staff must be protected against the possibility of the type of lawlessness that prevailed in totalitarian countries in the interwar period. Had the international organization been established in a country that was overrun by the German armies, the protection afforded by diplomatic immunities would have been the only personal safeguard for international officials against arbitrary measures.<sup>7</sup>

In the opinion of the author of this study there is no serious objection to a continuation of the practice initiated by the League, especially in view of the expected insecurity of the immediate post-war period, with the possibility of frequent and even violent changes in the internal régimes of numerous countries. It is in troubled times that "diplomatic privileges" cease to be privileges and become safeguards and necessities for the accomplishment of the duties incumbent upon international officials. It may seem paradoxical but it can hardly be refuted on grounds of fact that international officials need diplomatic immunities far more for the efficient dispatch of their business than diplomats properly speaking.

## 2. PUBLIC ACTIVITIES

The extent to which public activities of officials are constitutionally guaranteed or prohibited or tolerated by tradition or usage, varies considerably from country to country. Some of the democracies which were established after World War I went to the extreme of guaranteeing their officials full liberty of speech and public expression of their opinions in addition to the right to stand for and sit in parliament without foregoing their civil service positions. This led in some cases to the absurd situation of high government officials voting in their capacity

<sup>7</sup> This is borne out by recent events. As has transpired, the immunities of officials of the International Agricultural Institute (Rome) were respected by the Germans, even in the case of enemy aliens.

of members of parliament against the government by which they were employed. The other extreme is found in the British civil service which imposed excessively rigid rules of conduct upon active civil servants. Specific regulations (so-called Treasury instructions) prescribe that a civil servant must not indulge in political or party controversy; he is enjoined to maintain reserve in political matters and not to take a prominent stand on one side or the other. Other regulations forbid civil servants formally to offer themselves as candidates or prospective candidates for Parliament until they have resigned or retired.<sup>8</sup>

This was the situation which faced the League of Nations at its inception. The natural tendency of the Secretary-General was not to force issues but to count upon his officials conforming automatically to the standards prevailing in the British civil service.<sup>9</sup> An early experience showed, however, the kind of dangers threatening the League if decisions were left to the judgment of individual officials, many of whom had not been civil servants prior to joining the Secretariat. The newly-appointed chief of the Legal Section of the Secretariat, a former university professor, Van Hamel (Netherlands), published in a Dutch periodical an article dealing with the then dynamite-laden question whether the Netherlands should extradite the ex-Kaiser who had fled to that country. A German pacifist, Dr. Hans Wehberg, thereupon addressed in the *Deutsche Allgemeine Zeitung* an open letter to the Secretary-General protesting this action by an official of the League.<sup>10</sup>

It was obvious that enforcement of strict civil service rules in the British sense was impossible as long as the League was unable to offer its officials more than temporary appointments. It was felt on the other hand, that considerable damage to the newly established League might arise from comparatively harmless public activities on the part of officials. Pending the consolidation of the machinery the Secretary-General abstained from laying down strict rules.

A peculiar problem was created by the fact that some of the original League officials had close party associations. Sir Herbert Ames, the first head of the financial administration of the League, for instance, was a Member of the Canadian Parliament when he joined the Secretariat in London. He remained an M.P. for about nine months and even

<sup>8</sup> William A. Robson, *The British System of Government* (London, etc.: Longmans, Green & Co., 1940), p. 27.

<sup>9</sup> The written and unwritten rules governing the British civil service "code of ethics" have been ably described by Hiram Miller Stout, *Public Service in Great Britain* (Chapel Hill: The University of North Carolina Press, 1938), pp. 110 ff.

<sup>10</sup> Mrs. C. A. Kluyver (compiler), *Documents on the League of Nations* (Leiden: A. W. Sijthoff, 1920), p. 280, note.

addressed his Parliament on the subject of the League budget. Later the question arose whether officials could be candidates for parliament in their countries. In most cases officials resigned before accepting parliamentary candidatures, but in 1935, one Britisher was elected a member of parliament, resigning from the Secretariat it is alleged only after his election. Moreover, the establishment of strict rules was rendered somewhat delicate and difficult by the fact that M. Albert Thomas, the brilliant and dynamic Director of the ILO (and in this capacity an international official) continued for many years as a member of the French Chamber of Deputies, in keeping with well-established French national precedents.

Office regulations admonishing the members of the Secretariat to use caution finally crystallized in the following stipulations of the Staff Regulations:

No official may accept or hold or engage in any office or occupation which, in the opinion of the Secretary-General, is incompatible with the proper discharge of his duties in the Secretariat.

No official of the Secretariat may, while he holds that position, be a candidate for office of a political character in his own country.<sup>11</sup>

Annex IV further specifies these general rules by stating that it is the duty of the members of the Secretariat —

to avoid any kind of public pronouncement which can in any way affect their position as international officials either in their own countries or elsewhere, and it is, therefore, not normally admissible for them to write or speak in public on the current political problems, whether internal or external, of their own or any other country.<sup>12</sup>

In its concluding paragraph Annex IV states that apart from any express prohibition of particular acts contained in the Staff Regulations it is obvious —

that the special nature of their employment imposes upon officials of the League a definite duty to be particularly careful to observe the utmost reserve in regard to any form of public discussion of League questions or any form of political activity in any country whether belonging to the League or not.<sup>13</sup>

Officials were moreover expected to "request the authority of the official at the head of the service in which he is employed," who, "if in doubt, will submit the request for authorisation" to the Secretary-General,<sup>14</sup> and "to keep the Director of the Information Section informed of any lectures, speeches, publications or articles authorised."<sup>15</sup>

<sup>11</sup> *Op. cit.*, Article 4, p. 6.

<sup>14</sup> *Ibid.*, p. 67.

<sup>12</sup> *Ibid.*, p. 67.

<sup>13</sup> *Ibid.*, p. 68.

<sup>15</sup> *Ibid.*, p. 69.

These stipulations were, as a rule, strictly but by no means literally applied. The author of this study, having been invited to lecture throughout Germany in 1931, remembers that he received blanket permission from the Secretary-General provided he would avoid being dragged into public controversies.<sup>16</sup> As a matter of fact none arose, in spite of the extreme unpopularity of the League in Germany at that time.

### 3. HONORS AND DECORATIONS

*Vanitas, vanitatum vanitas.*

In the first years of the League there was much concern as to whether honors and decorations bestowed by national governments might have a corrupting influence upon the International Secretariat. Honors and decorations are lavishly granted during wars in all countries, and hardly a person around thirty had, by 1918, escaped some sort of distinction of this kind. It was feared that the practice might be continued and that governments might try to curry the favor of officials by this time-tested method.

The early preoccupation with this question is reflected in a "Memorandum by the Secretary-General"<sup>17</sup> which states, *inter alia*, —

It would seem desirable that a definite rule should be laid down as regards the acceptance by members of the International Secretariat of honours and decorations. In order to avoid any possible complication, it is probably wisest to decide that no member of the International Secretariat should, during the period of his appointment, accept any honour or decoration.

It is therefore recommended that no member of the International Secretariat should, during the term of his/her appointment, accept any honour or decoration except for services rendered prior to such appointment.

Mr. A. J. Balfour considered the question important enough to make it the subject of one of the four resolutions on the Secretariat of the League

<sup>16</sup> The writer was informally told that in case of complaints he would have to take the consequences. This lecture tour claims more than personal interest also from another point of view. The unpopularity of the League would have condemned to failure any speech the Secretary-General might have authorized. The speaker had to capture the attention and sympathy of his audiences by stressing the shortcomings and defects of the League in a manner that would have caused a nightmare to any orthodox adherent of the League. Then, and only then could he expect to lead his audience from criticism to a more favorable appraisal of some of the activities of the League. It may be worth adding that M. Comert, the French Director of the Information Section, showed full understanding and gave to this rather heretic method his silent if not open approval in the preliminary discussion of the journey. See chapter on "Public Opinion and the International Center," *supra*, pp. 201-17.

<sup>17</sup> L.N., *Staff of Secretariat, Memorandum by the Secretary-General*, Document du Conseil 6-29/1083/1083, p. 5.

submitted in May, 1920, to the League Council held in Rome. This resolution reads as follows:

That no member of the International Secretariat during the term of his or her appointment accept any honour or decoration (except for services rendered prior to such appointment).<sup>18</sup>

The various declarations and decisions on the part of the policy-shaping bodies were finally incorporated in Article 1 of the Staff Regulations, paragraph 2 of which reads as follows:

No official of the Secretariat may, during the term of his appointment, accept from any Government any honour or decoration except for services rendered before appointment.<sup>19</sup>

These stipulations were by and large adhered to by the governments and by international officials. In a few cases governments bestowed higher ranks, for instance the title of Minister Plenipotentiary, upon former diplomatic officers after they had been promoted to a higher rank within the Secretariat. Since the quoted paragraph mentions only honors and decorations, such promotions did not violate the letter of the regulations even if they went counter to the spirit of the stipulations.

In some cases these provisions were circumvented in the following manner: national officials, on indefinite leave from their governments, would, on their return home, be promoted to the title and rank they would normally have occupied had they remained active in their home service. This proved a potent incentive for keeping these officials linked to their governments. It applied particularly to former diplomatic officials, as the majority of European foreign offices observe the practice of putting diplomats for longer or shorter periods "*en disponibilité*" with or without pay.<sup>20</sup> There are one or two cases on record of governments bestowing decorations upon newly appointed League officials of their own, or of another nationality for that matter, for services rendered prior to their appointment. But the circumstances and the timing suggested that these honors were conferred in the hope of future services rather than for past merits.

Not only were the provisions prohibiting the acceptance of honors or decorations in general adhered to by the staff, but the League practice went even further. It also discouraged League officials from wearing decorations which they had received prior to joining the League at

<sup>18</sup> O.J., 1920, p. 139.

<sup>19</sup> *Op. cit.*, p. 5.

<sup>20</sup> See chapter on "Exchange and Loan of Officials," *infra*, pp. 343-44, and chapter on "Duration of Service, Advancement, and Security," *infra*, p. 304.

official receptions. League officials were easily recognizable, on the occasions of the large formal receptions held at Geneva, by the absence of ribbons, medals, or reduced simulacra of decorations in the midst of a gorgeously beribboned and bemedaled assembly of national representatives. This custom, painful as it must have been to some of the officials who had earned high honors before joining the Secretariat, was justified by their international position. In later years, especially after the entry of Germany into the League, an additional reason for this restraint appeared. Most of the older officials had served in their national armies during the war. It would obviously have been undesirable that persons working together for a common purpose in the same administration, often in the same section, should be reminded that they had faced each other a few years earlier as soldiers or officers of hostile armies on the battlefields of World War I. How dangerous it would have been to follow a contrary custom is illustrated by the following episode. The Assembly of the League of Nations was in session during the fateful days of the Munich Conference of September, 1938. On the evening of the tragic day on which the Munich Agreement was signed, the usual reception by the President of the Assembly was held at Geneva. Delegates, officials, and journalists met at the *Hotel des Bergues* in an atmosphere of excitement, expectation, and despondency. An official of the country most affected by the Munich negotiations, who had joined the Secretariat only shortly before and had been unaware of the unwritten rule discouraging League officials from wearing decorations, appeared with the ribbon of the Legion of Honor round his collar. It was nearly midnight when the results of the Munich Agreement began to transpire. Pale as death, aroused by what he considered the betrayal of his fatherland, he tore the Legion of Honor decoration from his collar with a vehement gesture and only the restraint, sympathy and understanding of his French colleagues prevented an incident which would have been unique in the history of the Secretariat.

## CHAPTER XX

### CLASSIFICATION OF STAFF

#### I. THREE DIVISIONS

The authoritative Article 8 of the Staff Regulations states that "the staff of the Secretariat is organised in three Divisions . . . according to the nature of the official's duties." The Secretary-General defined the three divisions as follows:

The *First Division* comprises the staff which directly gives effect to the resolutions of the Assembly, the council and the organisations of the League and carries out the preparatory work on which their decisions may be based; it consists of the present Members of Section and officials occupying higher posts. The *Second Division* embraces the personnel performing strictly secretarial and routine administrative duties. The *Third Division* consists of personnel engaged in manual or chiefly manual work.<sup>1</sup>

In order to evaluate the meaning of the divisions into which the Secretariat was split, the reader must keep in mind that the League Secretariat, in spite of its international character and its recognition of the equal status of women, was based firmly upon European administrative traditions as far as determination of rank and grade was concerned.

Exactly as in most European administrations, the division into three classes not only affected responsibility, rank, and salary but also pointed "to a difference in recruitment procedure. Each class had its own standards of qualification." The three divisions of the Secretariat were certainly not watertight compartments, but the instances in which an official was able to cross the barrier from the Third into the Second and from the Second into the First Division were rare. As a rule a person remained in the division into which he or she was originally appointed. The First Division, or its corresponding category in national administration, according to European civil service tradition, "does not provide the upper rungs of the promotional ladder for the rank and file, but, on the contrary, stands out as a separate career."<sup>2</sup>

<sup>1</sup> Committee of Thirteen, *Report* (Annex I), p. 35.

<sup>2</sup> Fritz Morstein Marx, *Civil Service in Germany*, Monograph 5 in Commission of Inquiry on Public Service Personnel, *Civil Service Abroad: Great Britain, Canada, France, Germany* (New York and London: McGraw-Hill Book Company, Inc., 1935), p. 202.

## 2. DESCRIPTION OF THE CATEGORIES

### A. FIRST DIVISION

The functions and prerogatives of the top officials of the First Division, including the Directors, were described previously in a chapter devoted to the High Directorate.<sup>3</sup> It was stated there that the Directors, in contrast to the Deputy and the Under Secretaries-General, were closer to the other members of the First Division than their colleagues in the High Directorate in regard to tenure and status.

Descending in the staff pyramid, we find the Chiefs of Section as the next category of the staff.

#### *Chiefs of Section*

The service category of Chief of Section was an equivocal one from the beginning. Some Chiefs of Section were in charge of sections (Communications and Transit Section, Social Questions and Opium Traffic Section), while others worked under the supervision of a Director (Economic Service, Statistical and Intelligence Service). The Committee of Thirteen, observing this lack of uniformity, expressed the opinion that "this confusion" was "apt to lead to misconceptions."<sup>4</sup> It recommended that those who were responsible for sections should be given the title and powers of Director while the title of Chief of Section should be reserved to officials who work under the supervision of an Under Secretary-General or Director.

The practice subsequently adopted was by no means more uniform. The administration followed the advice of the Committee of Thirteen by making the chiefs of major sections Directors, but it retained Chiefs of Section in charge of minor sections. In the course of years the administration also appointed as Chiefs of Section a few Members of Section who served next in command to Directors of large sections. Their status corresponded to that of the deputy or assistant directors, or deputy or assistant chiefs of division common in United States administrative practice. Some senior Members of Section were furthermore thus promoted, as a sign of acknowledgment for meritorious services, without necessarily being entrusted with permanent responsibilities commensurate with their new rank. They were employed as what might be termed "flying directors," i.e., they were put temporarily in charge of sections between the departure of one Director and the appointment of a successor. The Staff List of 1939 lists altogether four Chiefs of Section, of whom one was attached to the principal officers,

<sup>3</sup> See chapter on "The High Directorate," *supra*, pp. 54-60.

<sup>4</sup> *Report*, p. 18.

the second was in charge of the important Central Section, the third, of the Communications and Transit Section which formed part of Department II, and the fourth acted as Secretary to the Central Opium Board. The confusion noted by the Committee of Thirteen thus continued until 1940.

In the ILO the situation was different from the beginning. As the head of the International Labor Office held the title of Director, that title could not be used for the persons in charge of the individual services. The heads of these services were therefore, as a rule, Chiefs of Section. The staff of the ILO included fourteen Chiefs of Section in 1939.

### *Counselors*

On the basis of a suggestion of the Committee of Thirteen a half-hearted attempt was made in 1932 to reward "for special merit" a few Members of Section, to whom the administration could not offer promotion to the rank of Chief of Section or Director, by giving them the title and rank of Counselor. These posts were open to Members of Section who had served at least seven years and had received the maximum salary for three years or who had attained the maximum salary and had served in the Secretariat for at least ten years. It was an honorific title carrying neither raise in salary nor additional administrative prerogatives. The number of Counselors was limited to eight, but that quota was never filled; in practice, the number never exceeded six. In 1938, four persons held this title.

### *Members of Section*

Within the First Division these officials formed the largest contingent.<sup>5</sup> In later years the interpreters, revisers, translators, and précis-writers were "assimilated" to the Members of Section and together with them formed one category. This category was the backbone of the whole international administration. It was their morale and the quality of their work that largely determined the morale and quality of the work of the whole Secretariat.

The characteristics of the Members of Section are admirably defined in the Noblemaire Report of 1921 as follows:

These officers perform important duties. Under the direction of the higher staff they carry out all the intellectual and administrative work of the Secretariat. These require high educational qualifications, and, in the upper ranges, demand very considerable capacity and qualities of initiative and resource.<sup>6</sup>

<sup>5</sup> This rank corresponds roughly to the two grades of Assistant Principal and Principal in the British civil service and to the "professional and scientific" positions in the United States federal service.

<sup>6</sup> *Op. cit.*, p. 8.

The important Minority Report of the Committee of Thirteen characterizes the Members of Section as "the mainspring of the Secretariat," who must —

possess very special qualities. It is not enough that their work should be first-class from the purely administrative point of view. They must, in addition, be acquainted with public opinion in their own countries, so that they may, as far as possible, contribute to the common stock the conceptions prevalent in the various parts of the world.<sup>7</sup>

The category of Members of Section was originally subdivided into two groups, A and B, indicating Members of Section of junior and senior rank. This distinction did not correspond, as the Report of the Committee of Thirteen pointed out, "to any clear difference of duties." Following that Committee's recommendation, the distinction between groups A and B was abolished and a unified class of Members of Section established. In 1935, this classification was again split, following an Assembly resolution which created four subdivisions. The reasons for this reversal to a position similar to that preceding the Report of the Committee of Thirteen were chiefly of an economic character, but partly due also to psychological considerations. By abolishing the automatic rise from the bottom of the category to its top, it was hoped to effect budgetary savings and, at the same time, create incentives for the junior staff in their day-to-day work.

The size of the class of Members of Section gave rise to sustained criticism during twenty years. It was felt that it would have been more advantageous from an administrative point of view and in the interest of merit among its members if this category had been kept within closer bounds. Officials with minor functions were placed in the same category as colleagues who were charged with some of the most important work within the Secretariat. The reasons which induced the administration to create, maintain, and continue to enlarge this class of officials up to 1938, when it reached unwieldy proportions, were political rather than administrative. This aspect is more fully treated in a later section of this chapter.<sup>8</sup>

#### *Précis-writers, Translators, Interpreters*

The majority of these officials were highly specialized experts. Their status had been somewhat indefinite up to 1930, when the Committee of Thirteen expressed the opinion "that officials of this category

<sup>7</sup> *Op. cit.*, p. 28.

<sup>8</sup> See section on "Proportion and Disproportion between Ranks," *infra*, pp. 286-89.

might, having regard to the class of candidates recruited, their high qualifications, and the importance of their duties, be assimilated to Members of Section.”<sup>9</sup> Subsequently, as stated above, they formed with the Members of Section one category, “Members of Section and officials of equivalent grade, interpreters, revisers, translators and précis-writers.” Their status, salary, and conditions of employment were identical with those of the Members of Section properly speaking. They enjoyed the same diplomatic privileges and immunities.<sup>10</sup> The League authorities showed wisdom by giving these members of its staff a position similar to that of the Members of Section, thus recognizing the fact that upon their efficiency depended a good deal of the smooth functioning of international meetings and, with it, of the whole League action.

### *Experts, Specialists*

Apart from the ranks that have been clearly defined above the League relied increasingly, especially in later years, upon officials with short-term contracts appointed for their particular qualification in one field or another. They were called Experts or Specialists and ranked for the most part above or with the senior Members of Section.<sup>11</sup>

## B. SECOND DIVISION

The Second Division consisted chiefly of the staff responsible for the secretarial and routine administrative duties. Its chief categories were the following: Intermediate Class, Senior Assistants, Secretary-Short-hand-Typists, Copyists, and Clerks, the latter being subdivided into four classes. Top-ranking among the members of the Second Division were the members of the *Intermediate Class*. Upon recommendation of the Supervisory Commission, the creation of an intermediary grade was decided upon by the Assembly in 1923 in order to enable the administration “to make certain appointments to administrative posts at lower salaries than those paid to Members of Section.”<sup>12</sup> The Intermediate Class was subdivided into two categories and represented either the highest post available to members of the Second Division with out-

<sup>9</sup> *Report*, p. 18.

<sup>10</sup> For a description of their activities, see chapter on “The Individual Administrative Units,” *supra*, pp. 138-41.

<sup>11</sup> See chapter on “Exchange and Loan of Officials,” *infra*, p. 341.

<sup>12</sup> Supervisory Commission, *Report on the Work of the Seventh Session (August 20th to 31st, 1923)*, L.N. Document A.43.1923.X., p. 3. The Intermediate Class corresponds somewhat to the so-called subprofessional and lowest professional and scientific position in the United States federal civil service.

standing service records or a stepping-stone for a junior official possessing the required educational qualifications for the First Division. Theoretically members of this class were in a favorable strategic position for promotion. In practice the existence of this intermediary rank contributed little to the removal of the class barrier between the two divisions.<sup>13</sup> The administration was reluctant to promote officials from the Second to the First Division. In spite of the democratic origins of the League and of specific stipulations contained in the Staff Regulations aimed at facilitating promotion, the European concept of setting off rather sharply the clerical classes from the higher administrative and professional class<sup>14</sup> was too strongly established in the minds of the responsible persons to allow for a liberal interpretation of the promotional possibilities in this connection. It was one of the paradoxes of the situation that promotion from the Second to the First Division often meant a temporary reduction in salary, as the emoluments of the senior members of the Intermediate Class were higher than the beginning salaries of the First Division.

The Second was the largest single Division of the Secretariat.<sup>15</sup> A great proportion of its staff was locally recruited and members of this group enjoyed greater security of employment compared with those of the First Division, as the prevalence of permanent contracts proves.

### C. THIRD DIVISION

The Third Division, comprising about one fifth of the whole staff in the most active years of the Secretariat,<sup>16</sup> included the following activities and occupations: office-keepers, carpenters, chauffeurs, night watchmen, electricians, gardeners, mechanics, telephone operators, and multigraph operators. This Division was almost exclusively locally recruited and was overwhelmingly Swiss.

### 3. TITLES

From an internal point of view, the fact that League officials did not have titles clearly indicating rank and responsibilities was immaterial. The internal hierarchies were of course well known to those working

<sup>13</sup> The number of officials of the Intermediate Class was 47 in 1932, but only a handful was promoted into the First Division in the course of twenty years.

<sup>14</sup> Leonard D. White, *The British Civil Service*, Monograph 2 in Commission of Inquiry on Public Service Personnel, *Civil Service Abroad: Great Britain, Canada, France, Germany* (New York and London: McGraw-Hill Book Company, Inc., 1935), p. 13.

<sup>15</sup> See *infra*, p. 286.

<sup>16</sup> *Ibid.*

within the Secretariat. Moreover, the bulk of the League's officials did not require the stimulus of rank. From the point of view of the relationship of the Secretariat to the outside world, however, certain difficulties arose from the absence of titles identifiable outside Geneva by persons unfamiliar with the League practice.

The unfortunate consequences of having named the head of the international administration Secretary-General<sup>17</sup> have already been recorded. If the title of Secretary-General was inadequate to describe the position, the titles of the immediate subordinates were even more misleading. Nobody could have guessed that an Under Secretary-General was an important official, ranking, at least as far as administrative position and salary were concerned, with a Minister Plenipotentiary. The title of Director was unfortunate also in view of the fact that in Europe every executive of a small concern assumes the title at least of director, preferably of director-general. The absolute meaninglessness of the service designation of Member of Section has already been mentioned. Paradoxically enough, the only titles indicative of rank, those of Chief of Section and Counselor, were little used.

This failure on the part of the administration to give League officials descriptive titles probably had its root in the fact — at least during the first decade — that titles and designation of rank played a comparatively small rôle in the British civil service from which Sir Eric Drummond hailed. The importance attached to titles and ranks in practically all continental European and Latin American countries was not part of the personal experience of the first Secretary-General and his British advisers. There was furthermore an almost quixotic tendency to play down the position of League officials in general in order to impress upon the member States that the Secretariat was not a policy-shaping body. Sir Eric's successor on taking over was already faced with an established tradition which it would have been difficult to change.

The Geneva practice was a handicap for officials who were charged with important and sometimes extended missions abroad; an indication of their rank in the League might have made all the difference between their being compelled to discuss matters with national officials of a lower rank or having direct access to prime ministers or foreign ministers. In order to have their administrative function properly recognized some officials therefore often used on their League errands outside Geneva titles which they had held prior to joining the International Secretariat in their national administrations.

<sup>17</sup> See chapter on "The Secretary-General," *supra*, pp. 35-37.

At one time it was unofficially suggested to the Secretary-General that League officials be granted titles corresponding to those used in the diplomatic hierarchy in order to make them universally identifiable. Nothing came of this suggestion. As the diplomatic status of League officials was provided for in the Covenant, it would have been comparatively easy if "in implementing that article international officials had been given, category for category, status and titles assimilated to those of national [diplomatic] services."<sup>18</sup> A political, supranational agency of the future would do well to heed the League experience and bestow ranks on its officials which would allow national dignitaries to recognize the status of the international official with whom they are dealing.

#### 4. PROPORTION AND DISPROPORTION BETWEEN RANKS

The proportionate share of the three divisions comprising the entire staff, given in the following table, illustrates the situation as it existed in a number of selected years.

	1922 %	1927 %	1931 %	1935 %	1938 %	1940 % (October)
First Division . . . . .	27	27	29	31	26	54
Second Division . . . . .	62	57	57	57	57	40
Third Division . . . . .	11	16	12	12	17	16

In evaluating these figures it is necessary to discount those for 1940, as the staff composition of that and subsequent years is a product of staff retrenchment and the suspension of most of the services effected under the impact of the war.<sup>19</sup> It is not part of a normal administrative evolution. An evaluation of the figures for the years 1922 to 1938 reveals that the variation of percentage within the First and Second Divisions amounted to less than five points in the course of the years covered; within the Third Division, to six points. The reasons for the increase of the First Division in absolute figures and in relation to other personnel will be more fully dealt with below. Small as it was, it constituted one of the major administrative problems. In contrast to the First, the Second Division contracted in the thirties, chiefly in consequence of the rationalization measures of the years 1932-34, which affected mainly the

<sup>18</sup> *Proceedings of the Conference on Experience in International Administration, op. cit.*  
<sup>19</sup> See chapter on "The Crisis," *infra*, pp. 373-77.

clerical staff.<sup>20</sup> But as long as the Secretariat functioned normally the Second was and remained the largest of the three divisions. The Third Division was subject to greater fluctuations than was the case in the other two staff groups. The increase of the proportionate share of the Third Division that occurred between 1931 and 1938 and was reflected in an increase in this Division from 12 to 17 per cent, was almost exclusively due to the exigencies of the new and vastly larger premises and grounds of the Secretariat into which it moved in the second half of the thirties.<sup>21</sup> In view of the preponderantly manual character of the work entrusted to the Third Division,<sup>22</sup> the increase occurring on this level had no political significance whatsoever.

While thus certain variations within narrow margins took place, the proportion between the three divisions changed little in the course of the sixteen years that passed between 1922 and 1938. While the ratio between the First and the Second Division remained, roughly speaking, one to two, the ratio between the First Division and the entire staff varied between approximately one to four and one to three. The Second Division, which had shown considerable fluctuations in the first years, remained steadily at 57 per cent from 1927 on all through the thirties. The Third Division which comprised about one ninth of the entire staff in the early twenties was approximately one sixth after the removal of the Secretariat to its new headquarters. These changes were negligible, however, compared with the degree of continuity and stability reflected in the above figures. The staff structure of the Secretariat remained essentially unchanged from the moment the Secretariat crystallized early in the twenties till 1940, when the war imposed far-reaching measures of retrenchment upon the administration.

Frequently it was remarked in Geneva by delegates and outside observers that "the Secretariat had many captains and colonels and few privates and non-commissioned officers." If the yardstick of an average governmental department is applied, this criticism was justified. However, such a comparison is as misleading as a comparison between League salaries and those paid to national officials. Speaking of the British Foreign Office, Mr. Delisle Burns points out that the peculiar function makes "the work of all the officials more delicate and even dangerous for the State than is the case in most departments; and the result is that nearly all the work has to go through the hands or proceed under the eyes of the superior ranks in the office. The propor-

<sup>20</sup> See chapter on "Economy and Rationalization," *supra*, pp. 172-73.

<sup>21</sup> See chapter on "The Headquarters," *supra*, pp. 230-31. <sup>22</sup> See *supra*, p. 284.

tion of higher officials in the Foreign Office is, therefore, somewhat larger than in other departments."<sup>23</sup> Most of the reasons explaining the higher ratio of superior ranks in foreign offices also held good for the League Secretariat. But additional reasons inherent in the League's working technique necessitated the increase of the percentage of higher officials over and above that found in foreign offices.

The Secretariat needed a great number of highly trained research workers in the technical sections.<sup>24</sup> Moreover, it had to provide qualified secretaries for innumerable committees. The creation of a very large administrative class was thus inevitable. These service requirements and needs were not alone responsible, however, for the disproportion. Political reasons further contributed to inflate the size of the First Division. Member States, except a few very minor ones, expected to see at least one of their nationals included among the officials carrying diplomatic rank. This was dictated by motives of prestige (very articulate in the case of some medium-sized States), by the wish to have somebody in the Secretariat who could be entrusted by the Secretary-General with liaison work, and by the less legitimate desire to get a kind of cash return for their League contribution in the shape of salaries paid to one or more of their nationals.<sup>25</sup> In such cases the administration found itself face to face with the difficulty of finding for new appointees employment corresponding to their qualifications and legitimate expectations. As it would have been demoralizing to employ highly paid drones, the way out was to use these appointees in positions that could have been carried out by officials on a lower bracket.

The practice of appointing senior administrative officials for political rather than service reasons made the League administration not only more than necessarily top-heavy but it also prevented the creation of a sufficiently broad layer of intermediate officials, higher grades of clerks, senior assistants, and supervisors. The League did not entirely lack this type of official, whose steadiness and knowledge of facts, figures, precedents, and files make him an invaluable element in most of the old and time-tested national administrations, and who contributes so much to efficiency, smoothness, and continuity in the dispatch of official

<sup>23</sup> C. Delisle Burns, *Whitehall* in "The World of To-Day" (London, etc.: Humphrey Milford, Oxford University Press, 1921), p. 36.

<sup>24</sup> If the ratio between the First and Second (clerical) Divisions decreased in the second half of the thirties in spite of these extra-administrative causes tending to inflate the size of the category of Members of Section, this was due to the fact that the clerical work performed by the Secretariat was constantly growing.

<sup>25</sup> See chapter on "National Structure" for the *de facto* relationship between the contribution of a country and its representation on the Secretariat, *infra*, pp. 353-54.

business. It is true that officials of this type were thinly spread throughout the administration, but there seems never to have been on the part of the latter a clear recognition of the importance of this category of officials. Had the League Secretariat continued to expand or to function on the 1930 level for another fifteen or twenty years the consequences of this neglect would have become plainly visible.

This emphasizes one of the few features of the Secretariat which was open to serious criticism on administrative grounds. The universally recognized technical efficiency of the Secretariat was achieved at higher cost than was necessary, even on the existing salary level. Any future permanent international administration would be wise to recognize in time the danger inherent in a disproportion of ranks and to oppose everything that would create a maladjustment similar to that existing in the League Secretariat.

## CHAPTER XXI

### COMPENSATION AND VACATION

#### I. INTERNATIONAL SALARIES

##### A. FACTORS DETERMINING THE LEVEL OF EMOLUMENTS

The salary scale of international officials received a great deal of consideration during the years of the League's active existence. While in the Anglo-Saxon countries it was, at least in the beginning, considered justified, if somewhat generous, it drew a good deal of criticism from the poorer countries of Europe. In these countries officials were not well remunerated. Moreover, currencies in many countries were devaluated and the fictitious conversion of the League salaries into some currencies led to near-astronomic figures. The Bulgarian Member of Section of the Financial Section, for instance, was paid a salary which, in gold, represented many times the salary of his Prime Minister. In view of the high cost of living at Geneva, his living standard was nevertheless considerably below that of the first magistrate of his country. Attempts to picture the Geneva officials to the impoverished populations of Europe as a very privileged group of human beings constituted a favorite game which always found spectators and sympathizers. This agitation, unfortunately, had a damaging effect on the people's attitude toward the entire League organization, and the principles governing the public relations methods of the League did not permit effective counter-propaganda. It was not surprising under these circumstances that the question of a reduction of salaries recurred on and off for twenty years.

The level of salaries for League officials was based "on that of the British civil and diplomatic services, with allowance for the fact that Geneva was more expensive than London and that the factor of expatriation had to be taken into account."<sup>1</sup> The League desired in the beginning to attract first-rate personnel from countries like the United States and Britain where salaries, measured by the European yardstick, were high. The League could never hope to enlist and retain a high class of Britisher unless it was in a position to compete with the British civil service. As differential rates of pay for officials from differ-

<sup>1</sup> Howard-Ellis, *op. cit.*, pp. 176-77.

ent countries were out of question the nationals of poorer countries were bound to profit from this fact. A number of secondary factors also were considered — the insecurity of tenure and the high salaries paid during the war to civilian employees of Allied technical bodies. To these arguments the Secretary-General of the League added another on the occasion of the discussion by the Council of a British Memorandum on the expenditures of the League, namely, that "it was extremely difficult for a large number of the members of the Secretariat to expect the promotion which they would naturally and rightly expect in a national administration."<sup>2</sup>

### B. EVOLUTION

In spite of a number of changes which were effected between 1919 and 1939, League salaries remained remarkably stable. In the first years, protracted discussions centered upon the question of the currency in which salaries were to be calculated. The original contracts had been established in pounds sterling, but it was intended to link the League salaries with gold.<sup>3</sup> This policy was soon abandoned. The Noblemaire Report recommended that salaries thenceforth be paid in Swiss francs. In accordance with the opinion of the Committee of Enquiry,<sup>4</sup> appointed by the Council on February 21, 1921, the Noblemaire Report considered the average of salaries high in comparison with those paid in government departments of long standing, but considered this justified in view of the fact that the League was a new institution, that the cost of living at Geneva was high, and that the officials possessed neither security of tenure nor social security in the shape of pensions. The suggested new schedule provided for somewhat lower salaries than those obtaining up to that time, but officers recruited under the new scheme could rise to approximately the same salaries as those paid in the past. The Committee further recommended that the salaries should be subject to readjustment from time to time in accordance with variations in the cost of living. A Salary Adjustment Committee was to be charged with adapting the salaries to fluctuations in the cost of living. The new system was put into force

<sup>2</sup> O.J., 1932, p. 1232.

<sup>3</sup> The Provisional Statutes for the Staff of the International Secretariat stated that "the salaries of the members of the Secretariat will ordinarily be fixed in gold francs." (p. 9.)

<sup>4</sup> See *Report to the Second Assembly of the League on the Work of the Council and on the Measures Taken to Execute the Decisions of the First Assembly*, L.N. Document A.9.1921., p. 61.

in 1923, after each member of the staff had given his individual consent. The general level of salaries and wages thus established remained essentially unchanged until 1932, in spite of the subsequent modification of the calculation system.

This system did not give complete satisfaction because of the "inevitable and irremediable defects in the index system when applied to an international staff."<sup>6</sup> However, it was retained until 1927 because the personnel of the ILO, in contrast to that of the League, expressed itself in its favor, and perhaps for the even more pertinent reason that the individual contracts concluded between the administration and each member of the staff made revision an extremely complicated procedure.

The following considerations finally weighed in favor of a stabilization of salaries: that, as a general rule, salaries of public officials should be fixed; that the system of variable salaries endangered budgetary stability, and, from a psychological point of view, created an impression of instability and insecurity among the staff; and finally that no index, no matter how scientifically calculated, would give satisfaction "in view of the great difference in the standards and modes of life of the various officials."<sup>6</sup> The 1927 Assembly, basing its action upon a recommendation of the Supervisory Commission, sanctioned a stabilization of salaries at the nominal rates of 1922.

The Report of the Committee of Thirteen stated that —

To ensure a high standard of qualifications the Committee considers it essential that salaries should be fixed at a sufficiently attractive rate. They cannot be less than those drawn by the best paid officials in the national civil services. In determining the actual amount it is only fair, and also necessary, to add an expatriation bonus. If the League is to secure a first-rate staff these conditions are indispensable.<sup>7</sup>

In the opinion of the committee these difficulties could best be overcome, not by raising the salary level as such, but by improving the prospects of advancement. It was suggested that officials entrusted with certain responsibilities be given ranks commensurate with their duties. The proposals of the Committee of Thirteen thus amounted *de facto* to a salary increase for a considerable number of officials.

<sup>6</sup> Resolution, Staff Meeting of the Secretariat, January 21, 1927, Appendix II of L.N. Document A.5(a).1927.X., in O.J., Special Supplement No. 58, p. 89.

<sup>6</sup> Supervisory Commission, *Report on the Work of its Twenty-Ninth Session*, L.N. Document A.5(b).1928.X., p. 1.

<sup>7</sup> *Op. cit.*, p. 17.

These proposals were criticized by members of the Fourth Committee of the 1930 Assembly with the following arguments: the (temporary) fall in the cost of living at Geneva; the criticism to which League salaries had been subjected by the public; and the establishment of a pension scheme which invalidated, in the opinion of some speakers, one of the major reasons which had originally justified the high salary level.

A large part of the deliberations of the Fourth Committee was again taken up in a full-dress debate on salaries in 1932. It revolved around the question of the right of the Assembly to change salaries. Two points of view confronted each other. One party claimed that the Assembly was entitled to reduce unilaterally the salaries of the officials; the other insisted that League officials were holders of private employment contracts that could not be modified without mutual consent, i.e., without the approval of each individual official. In changing the salary level the Assembly would usurp, in the opinion of those opposing action on the part of that body, the right of a parliament to alter employment contracts of public officials. It would claim to be a sovereign body.

The discussion lasted over eight meetings and ended with the appointment of a committee of jurists charged with the task of giving a "legal opinion at the earliest possible moment as to the power of the Assembly of the League of Nations to reduce the salaries of the officials." The committee gave a negative answer and a discussion which, in the words of the Secretary-General, had threatened to continue year in and year out thus came to an end. The Assembly adopted, however, a resolution stipulating that all future contracts, whether renewals or new contracts, should be executed on the basis of a 10 per cent reduction.<sup>8</sup>

An impartial appraisal of the question of the optimum level of international salaries suggests the following conclusions: International officials, like national officials, should receive salaries guaranteeing them and their families complete financial independence—the prerequisite of sustained good work. This condition can only be fulfilled if it is taken into consideration that these officials are permanently or at least semi-permanently expatriated. Many of them must be in a position to secure for their children an education in their own countries in order to prepare them for a normal existence at home. Salaries cannot therefore be fixed on the level of national civil service remunerations but should be

<sup>8</sup> For further details, see *infra*, pp. 295-96.

equal to those drawn by national diplomatic officers on posts in foreign countries.<sup>9</sup>

Measured by this yardstick League salaries were not excessive as a whole. They were about right in the First Division except in the higher brackets. The remuneration of some of the highest officers was generally considered over-generous, particularly in view of the fact that immunity from taxation left the whole purchasing power of these salaries in the hands of the officials and that a considerable part of their entertainment expenses was met by special entertainment allowances (see *infra*.) The criticism sometimes levelled against the salaries of the Second Division (stenographers, clerical workers) was not justified. They were certainly better paid than their colleagues in public and even private employment on the European Continent in order to attract from abroad a class of clerks which is usually locally recruited and therefore able to live on a comparatively low budget, often in the homes of their own families. Moreover, it was important for the League to prevent a constant turnover of employees of this category and to safeguard them against the moral dangers inherent in low salaries. The League had to be especially careful to prevent scandals, which would immediately have international repercussions, and this policy paid high dividends. The clerical staff of the League was not only one of the most efficient found anywhere in the world; it also showed remarkable resistance against attempts at bribery and corruption. On the occasion of the Manchurian conflict, for instance, considerable sums were offered to lower officials by Japanese agents for a premature divulgence of the text of the Lytton Report, kept prior to its official issuance in the strongbox of one of the sections of the League. Such attempts failed, owing to the code of ethics of all employees concerned, and there can be no doubt that the emoluments of the junior staff played their part in this gratifying state of affairs.

A distinction was drawn between international and locally recruited staff of the lower administrative brackets, and a few words may be said regarding the discriminatory treatment of the latter category because of its bearing upon similar problems of future international agencies. "International salaries" applied to officials for whom employment at Geneva involved expatriation. The designation "locally recruited employees" included all persons who, at the moment of their candidature, had been resident for at least five years in French-speaking

<sup>9</sup> *Proceedings of the Exploratory Conference on the Experience of the League of Nations Secretariat, op. cit.*

Switzerland (*la Suisse romande*) or in French territory within a radius of twenty-five kilometers from Geneva.<sup>10</sup> Swiss nationals residing in the territory thus circumscribed were treated as locally recruited irrespective of the duration of their residence. The Swiss Government pressed in the early thirties for an almost complete equalization of the salaries paid to locally recruited and international officials. The attempt failed in view of the considerable increase in expenditure this would have necessitated.

### C. SALARY SCALES

The following salary scales were in force up to 1932. The figures shown in the table denote only the chief categories.<sup>11</sup>

#### FIRST DIVISION

Category of Official	Minimum (Swiss francs) <sup>12</sup>	Annual Increment (Swiss francs)	Maximum (Swiss francs)
Principal officers (excepting Secretary-General).			
Deputy Secretary-General.....	60,000	Nil	
Under Secretary-General and Legal Adviser . . .	60,000	Nil	
Directors.....	41,000	2,500	53,000
<i>Other Categories</i>			
Chiefs of Section.....	28,000	1,000	33,000
Members of Section.....	12,000	800	28,000

Salaries of the Second Division varied from 6,500 Swiss francs to 16,250; for locally recruited officials of this category, from 3,600 to 11,900 Swiss francs, with annual increments between 150 and 400 francs, and an annual allowance for each child. Certain officials belonging to the Second Division were thus better remunerated than officials on the lowest level of the First Division.

Salaries of the Third Division ranged from 3,000 to a maximum of 9,000 Swiss francs, with annual increments varying from 100 to 200 Swiss francs. To these salaries certain allowances for children were added.

At the beginning of the thirties an attempt was made, for reasons of economy, to induce officials to make a voluntary all-round contribution

<sup>10</sup> L.N. Secretariat, *Staff Regulations*, Article 8, sections 4a and c, p. 9.

<sup>11</sup> Full details are contained in *ibid.*, Annex I.

<sup>12</sup> The figures for salaries are given in Swiss francs. They have not been converted into dollars because of the changes in the rates of conversion which occurred in the course of the twenty-four years covered by this study. The mean exchange rate for dollars was during January-May 1922, 5.15 Swiss francs; during the same period in 1930, 5.15; in 1938, 4.37; and in 1943, 4.31.

from their salaries. The attempt failed chiefly because of grave psychological mistakes made by the administration in suggesting the desirability of voluntary action on the part of the staff. But it was more successful in 1939, when the Secretary-General and the Director of the ILO "proposed to their respective staffs a scheme whereby each member of the staff would make a voluntary contribution from his salary ranging, on a progressive scale, from 2% in the case of an official in receipt of a yearly salary of 3,000 francs to 20% in the case of the highest salaries."<sup>13</sup>

In the meantime, however, a considerable reduction of the salary level had been effected, as stated above, by the 1932 Assembly, which decided to subject all *new* appointments, promotions, and renewals of appointments, made after October 15, 1932, to a 10 per cent salary cut, with the proviso, however, that an official's salary after promotion should not be less than that received before. Much criticism was aroused by the fact that the recipients of the highest salaries were exempt from this rule.

Salaries were paid at the end of each calendar month. In the event of the death of an official, a grant equal to one month's salary was paid to his widow or "such other member of his family as the Secretary-General may determine."

#### D. ANNUAL INCREMENTS

The mechanism of annual increments, as described in the Staff Regulations, provided that all officials except the highest officers were entitled to increments ranging from 100 Swiss francs annually to 2,500 Swiss francs in the case of Directors. Annual increments were a contractual right of which the official could only be deprived as a disciplinary measure. They were granted to officials working under the direction of the head of a service only on presentation of a certificate to the effect that they had given satisfaction during the past year. In the instance of other officials similar certificates had to be issued by the Secretary-General himself. If the increment was refused the case was submitted to a committee of the Secretariat for inquiry. In case of special merit, the Secretary-General could make the official a special award of not more than three annual increments.<sup>14</sup>

From the beginning, heads of the services hesitated to deprive officials

<sup>13</sup> *Fourth Report of the Supervisory Commission (1939)*, L.N. Document A.5(c).1939. X., p. 4.

<sup>14</sup> L.N. Secretariat, *Staff Regulations*, Article 28, pp. 20-21; Article 62, section 4, p. 38.

of their annual increments. In December, 1922, the Secretary-General issued to the heads of departments and services a circular pointing out that an annual increment should not be granted "as a mere matter of course." It represented a well-earned reward for constant and efficient attention to duty during the year and a recognition to those who had given the League their best work; and the heads of service were to satisfy themselves that they were not committing the injustice of granting the same reward to all when there might be some who deserved different consideration in view of the different value of their work.

The Heads of Services will realise in this connection that a natural and quite comprehensible desire to err on the side of indulgence and leniency would inevitably destroy the stimulus to improvement, in that an undue leniency towards a few would constitute the greatest injustice to the great majority who might fully deserve reward and encouragement.<sup>15</sup>

In spite of this and similar subsequent admonitions, annual increments were almost as rarely refused <sup>16</sup> as special awards were granted in case of particularly meritorious service. In the early thirties the annual expenditure occasioned by these statutory increments amounted to about 300,000 Swiss francs.

#### E. ENTERTAINMENT ALLOWANCE

The posts mentioned under Principal Officers carried with them entertainment allowances varying from 10,000 Swiss francs per annum for Directors, to 25,000 Swiss francs for the Deputy Secretaries-General. The entertainment allowance of the Secretary-General was fixed at 50,000 Swiss francs annually. There was, in addition, a general *Entertainment Allowance Fund*, subject to close scrutiny by the Supervisory Commission and the Fourth (Budget) Committee of the Assembly, from which officials, including Members of Section, could draw on special occasion upon the presentation of vouchers. The entertainment allowances were at least partly responsible for a certain exaggerated style of entertainment offered by high officials to delegates and visitors, which contributed to the impression of a "luxury service" and "of the existence of a privileged class." With the progressive reduction of the entertainment fund and the individual allowances, such complaints diminished. At times apprehensions were expressed, not because of the

<sup>15</sup> Quoted by Supervisory Commission, *Report on the Work of the Seventh Session*, L.N. Document A.43.1923.X., p. 7.

<sup>16</sup> In answer to a question addressed to him by a delegate, the Secretary-General stated in 1933 that the number of cases in which an annual increment was refused or postponed was from ten to twelve a year (O.J., Special Supplement No. 118, Geneva, 1933, p. 42).

lavishness of entertainment but because of the alleged non-utilization of these allowances by the recipients for their official purposes.

#### F. TOTAL SALARY EXPENDITURE

The growth of expenses for salaries, wages, and allowances can be gauged from the following figures. They include the Secretariat, the "House Staff" at Geneva, and the Branch Offices personnel, but exclude contributions to the Staff Provident Fund, travel and removal expenses, representation fees, etc.

<i>Year</i>	<i>Swiss francs</i>
1922 (expenditure) <sup>17</sup> .....	5,181,796
1930 (expenditure) <sup>17</sup> .....	8,262,375
1938 (expenditure) <sup>17</sup> .....	8,631,427
1942 (expenditure) <sup>17</sup> .....	1,387,826
1943 (expenditure) <sup>17</sup> .....	1,489,241
1944 (estimates) .....	1,717,202

The expenditure for salaries amounted in the early years of the Secretariat to less than half of the whole cost of the Secretariat, in the years 1930-38, to about 65 per cent, and, since 1940, has accounted for about half of the total cost.<sup>18</sup>

#### 2. ANNUAL LEAVE

Extensive provisions were made for the annual leave of officials, the stipulations covering many printed pages in the Staff Regulations and settling the minutest details.<sup>19</sup> They were on the whole given a broad interpretation.

The chief provisions regulating the annual leave of permanent officials were as follows:

Officials of the First Division, and non-locally recruited officials of the Second Division.....	36	working	days
Locally recruited officials of the Second Division...	33	"	"
Officials of the Third Division —			
Under 30 years of age.....	15	"	"
Over 30 years of age.....	21	"	"

Officials who spent all or part of their annual leave in their home countries were entitled once a year to add to their leave the time required for the journey home and back "by the quickest route" (excluding

<sup>17</sup> According to the Audited Accounts for the period in question.

<sup>18</sup> See chapter on "League Budget and the Secretariat," *supra*, p. 226.

<sup>19</sup> L.N. Secretariat, *Staff Regulations*, Article 43, pp. 27-28; Article 54, pp. 31-33; Article 60, p. 37; and Annex III, pp. 61-63.

aerial travel). The regulations stipulate furthermore that "the official must take at least half of his annual leave in the course of the year in respect of which the leave is due." The remainder of the leave may be carried forward and added to the next leave provided the total amount of ordinary annual leave, including deferred leave, taken in any year, does not exceed three months. These stipulations do not give a complete picture. Offices were closed on a number of days preceding and following great religious or public holidays. In addition, a leave of two or three working days was usually granted to the staff immediately after the yearly Assembly in order to reward the officials for overtime work during this period.<sup>20</sup>

Officials were entitled to have their fare paid to any place they desired in the country of their domicile. This privilege included traveling costs for wife and children under the age of 21 beginning with the official's third year of service and "thereafter not more often than once in any three consecutive years."<sup>21</sup> Special provisions were made for officials from distant countries, traveling expenses being paid once a year to those having "homes" situated in Europe and certain territories adjoining Europe; once every two years to those from Egypt, Asia Minor, Arabia, and all places in North America no farther than 100° West; once every three years to all other places. The purpose of these expensive arrangements was to equalize as much as possible the situation of European and non-European members, to allow officials from distant countries to keep in touch with their own countries and to counteract the psychological consequences of expatriation.

These provisions were generous, even over-generous in some respects. They were a potent weapon in the hands of the administration in its effort to counteract the danger of restlessness which persistently threatened a staff exiled from home, living an artificial life in a small city,<sup>22</sup> and exposed to the spiritual inbreeding ensuing from this situation. Leave afforded League personnel an occasion for escape, mentally and physically, and the possibility of returning refreshed to their desks in the *Palais des Nations*.

<sup>20</sup> The Staff Regulations state that "the Secretary-General may allow compensation for overtime on the conditions determined by him." On the whole overtime was discouraged and claims for compensation transmuted into additional leave. In the case of officials of the First Division no allowance was made for overtime except in those cases in which officials were required to work on Sundays and public holidays. On those occasions officials of all categories were entitled to corresponding days of leave.

<sup>21</sup> L.N. Secretariat, *Staff Regulations*, Article 54, pp. 31-32. The gist of the regulations concerning "Traveling and Removal Expenses and Subsistence Allowances" will be found in Appendix V, *infra*, pp. 466-67.

<sup>22</sup> See chapter on "The Capital of the League — from the Secretariat Angle," *infra*, pp. 421-23.

## CHAPTER XXII

### DURATION OF SERVICE, ADVANCEMENT, AND SECURITY

#### I. TERM OF EMPLOYMENT

##### A. PRINCIPLE AND PRACTICE

The officials of the first hour did not seek personal security. They joined the Secretariat in a spirit of adventure. The war had not fostered in them any sense of stability; revolutions were still shaking great parts of Europe. To expect security in the International Secretariat at a time when the League was still in a formative stage would have seemed to most of them unreasonable. Moreover, as they were, in their majority, not civil servants by profession they did not look for permanency and a sheltered existence.<sup>1</sup>

The Covenant does not mention tenure of office. In the early days officials held contracts of varying duration, limited to a period of five years. Though these contracts were renewable, the opinion prevailed that the bulk of the officials would depart after a tenure of this length. This is reflected in a Report on the Staff and Organization of the Secretariat made by the Fourth Committee of the First Assembly, which recommended —

That the staff of the Secretariat be renewed at the termination of each five-yearly period, due regard being given to the retention of sufficient officers to enable the work of the League to be effectively maintained.<sup>2</sup>

Opinions among the representatives of the governments regarding the optimum length of tenure differed considerably, however. This became evident when the report was debated in the plenum of the First Assembly of 1920. Sir James Allen (New Zealand), in presenting the Fourth Committee's report, expressed the opinion that there was good reason for appointing officers first for five years "because it is essential that the idea should not be allowed to grow up on the part of officers that they are there for a lifetime, an evil which exists in the Civil Services and in the offices of many Governments."<sup>3</sup>

<sup>1</sup> See Boudreau, "International Civil Service," *op. cit.*, p. 80.

<sup>2</sup> L.N. *The Records of the First Assembly, Plenary Meetings* (Geneva, 1920), p. 671.

<sup>3</sup> *Ibid.*, pp. 654 ff., at p. 657.

Mr. G. N. Barnes (British Empire), on the contrary, wanted —

the staff here in Geneva to feel that they have got here a life's work and thus become interested in that life's work and also become efficient in it and attached to it. . . . there is a declaration that the staff are to be appointed only for five years. What will happen if that goes through? Immediately a man starts his work he will have in his mind all the time that he may be dispensed with after five years. . . . He will immediately start to look out for another job, and if he gets another job in a year or two he will leave you.<sup>4</sup>

The Noblemaire Report of 1921 clearly specified that the very nature of its duties prevented the Secretariat "from giving all its officials, without exception, a guarantee of permanent employment"; but it expressed also the opinion that a tolerable measure of security was "indispensable for the satisfactory accomplishment of the daily task." The Noblemaire Committee did not recommend long-term contracts for the chief officers, but was in favor of such contracts being granted to all other ranks.<sup>5</sup>

The Committee of Thirteen, reviewing the practice in the light of twelve years' experience, was more explicit. It expressed the opinion that —

the principle of permanency should not apply to the directing officers of the Secretariat, and it also unanimously approved engagements up to the age-limit for members of the second and third divisions and for interpreters, translators and précis-writers. On the other hand, as regards Chiefs of Service and Members of Section . . . the majority of the Committee held that these officials should receive engagements terminable by an age-limit,<sup>6</sup> thus offering to them a long career in the Secretariat with the consequent permanency, promotion and security.<sup>7</sup>

The system of permanent contracts favored by the majority of that Committee was challenged in a Minority Report signed by the German, Italian, Venezuelan, and Colombian members. The minority statement pointed out that this system involved the risk of "bureaucratizing" and complicating the administrative machinery. Permanent officials —

may easily develop a spirit of routine which is unfavourable to the furtherance of the new ideas that are constantly germinating in a young institution like the League of Nations.<sup>8</sup>

<sup>4</sup> *Ibid.*, p. 661.

<sup>5</sup> Noblemaire Report, p. 7. The Second Assembly, in a resolution adopted on October 1, 1921, approved the views expressed in the Noblemaire Report. O.J., Special Supplement No. 6, p. 27.

<sup>6</sup> The age-limit was originally fixed at 55, later raised to 60 years, with the proviso that the Secretary-General may, in special cases, keep officials up to their 65th year.

<sup>7</sup> *Report*, p. 11.

<sup>8</sup> *Ibid.*, p. 28.

These considerations, in the opinion of the signatories, applied with special force to the officials of the entire First Division.

#### B. TENURE OF OFFICE

Beginning with October, 1932, the official position regarding the tenure of office was as follows:

(1) Limited contracts for the principal officers whose normal term of office was fixed as follows:

Secretary-General . . . . .	10 years
Deputy Secretaries-General . . . . .	8 "
Under Secretaries-General } and Legal Adviser }	7 "
Directors . . . . .	7 " (renewable)

(2) Indeterminate employment or contracts of long duration in principle for all the other members of the staff.

In practice the situation was as follows:

(1) A renewal or even short-term prolongation of contract in the case of a Deputy Secretary-General or Under Secretary-General was only possible in exceptional circumstances, and this rule was strictly adhered to. The situation was different, however, in the case of Directors. Their seven-year contract was not considered a desirable norm but rather a means of facilitating a change in case of inadequate service or in order to enable the Secretary-General to adapt the national distribution of the leading positions more equitably, in conformity with the changing membership of the League.<sup>9</sup> An official who had previously served in the Secretariat on a contract of indeterminate length had to relinquish his original (permanent) contract on accepting promotion to the ranks of Under Secretary-General or Director, whose contracts were for limited periods.<sup>10</sup>

(2) On the Member of Section level permanency existed in principle. The practice did not correspond, however, to the principle. Only about half of the Members of Section and persons of equivalent rank held permanent contracts in 1938, and the majority of the latter had been appointed before 1930. The other half was designated in the staff lists as "temporary," which meant in the terminology of Geneva seven-year or shorter contracts (renewable). Later on, even seven-year or five-year

<sup>9</sup> See chapter on "The High Directorate," *supra*, p. 60.

<sup>10</sup> See L.N. Secretariat, *Staff Regulations*, Article 17, p. 17.

contracts became rarer. An increasing number of persons belonging to the First Division, called Specialists or Experts, were engaged for one year, the contract being renewable in most cases.

The rule that members of the staff should as far as possible have permanent employment was most closely enforced in the Second and Third Divisions. The lower level of its salaries, the unpolitical character of these appointments, and the impossibility of recruiting competent personnel for these categories, especially the Second Division, without a security comparable to that offered by the national services in Europe — these, and reasons of technical efficiency, suggested to the administration the wisdom of making practically all these appointments permanent.<sup>11</sup> Even the strongest advocates of permanent contracts for higher international officials felt some apprehension, however, lest permanency of tenure entail loss of touch with the realities of the life of their nation or national life in general. The suggestion was therefore made that permanent contracts in the First Division should be combined with a more extended system of leave than that provided for by annual vacations. The Committee of Thirteen recommended that officials of the First Division "should be granted three months' special leave after seven years' service,"<sup>12</sup> it being understood that this leave would be spent, as a rule, in their country of origin. Nothing came of this suggestion, chiefly for budgetary reasons, nor of numerous suggestions made to the administration in the course of years to introduce the system of the sabbatical year in force at American universities, which, it was felt, would not only enable them "to bring some of the atmosphere of the international center back into the capitals, but it would enable the officials to refresh their contacts with their capitals and bring back many valuable things to the center."<sup>13</sup>

The dangers inherent in permanency can be reduced by these and similar means; they cannot be counteracted fully by any arrangement of a technical nature. In the last resort it must, as Mr. Archibald A. Evans justly pointed out, "be left largely to the personality of the international official to overcome these difficulties."<sup>14</sup> Compared with the dangers arising from an overproportionate number of short-time contracts and from frequent changes, they are secondary. Permanency of

<sup>11</sup> In the case of officials appointed for a term exceeding seven years, the chief of service had to make out a report "at the end of each period of seven years of service." (*Ibid.*, Article 62, p. 38.)

<sup>12</sup> *Report*, p. 19.

<sup>13</sup> *Proceedings of the Conference on Experience in International Administration*, op. cit.

<sup>14</sup> "The International Secretariat of the Future," op. cit., p. 69.

tenure must remain the basic concept governing the contractual status of international civil servants.

### C. PLACING "EN DISPONIBILITÉ"

The practice of placing officials temporarily *en disponibilité* never became an accepted rule as was the case in the diplomatic services of most countries. In diplomatic practice this measure has no humiliating or discriminatory connotations. The offer of being placed *en disponibilité*, as far as can be ascertained, was made twice in the history of the Secretariat. The first case occurred in 1925, and was fully treated in another context.<sup>15</sup> Mr. F. M., it will be remembered, was relieved of his post as head of the Précis-Writing Section. It was agreed to charge him temporarily with the preparation of a report, and he was assured of subsequent reemployment after a non-defined waiting period. The placing *en disponibilité* was intended as preliminary to a demotion, and the measure had clearly a derogatory character.

The second case had political implications and also sheds some light on the kind of outside pressure to which the Secretary-General was subjected by the totalitarian governments. An official, member of the Information Section and in charge of public relations with Germany in 1933, had incurred the wrath of the National Socialist Party in the years preceding Hitler's rise to power. The Third Reich, it will be remembered, remained a League member for about nine months. Soon after assuming power the new German Government dispatched a high official of the Propaganda Ministry to Geneva demanding that the Secretary-General dismiss the member in question. The head of the international administration, unwilling to give way to this pressure but desiring not to offend the masters of the Third Reich, offered to retain the official on the staff with full salary until the expiration of his contract, by placing him *en disponibilité*. The official bluntly refused but offered to accept a transfer to a non-political section provided that he be given a position of equivalent rank. This was finally agreed upon and his contract not only remained in force but, on expiration in 1937, was even renewed for another seven-year period.

## 2. OPPORTUNITIES FOR PROMOTION

No permanent administration can remain healthy, none can hope to attract the proper type of collaborators, if the chances of promotion

<sup>15</sup> See chapter on "Contractual Status and Safeguards," *supra*, pp. 257-58 and 260.

fall below a certain level. The League Secretariat was no exception to this rule even though the glamor of belonging to the new international diplomacy and the attraction of initially high salaries might enhance the attraction of the international civil service.

The Noblemaire Report of 1921<sup>16</sup> pointed out that "the system of grading into classes and promotion within classes, and from one class to another, is bound to make for efficiency in the staff." It adopted the views and suggestions contained in the Report of the Committee of Enquiry on which its findings were based. The relevant passages read as follows:

We consider that the staff of the Secretariat should be assured of due opportunity of promotion, and we therefore recommend that . . . it should be open for an official during his period of service with the Secretariat to obtain such promotion from grade to grade as his services and abilities warrant. . . . Moreover, in order to secure a reasonable flow of promotion, care must be taken from time to time to ensure that the number of posts authorised in the lower ranks do not show an unreasonable excess over those provided in the higher.<sup>17</sup>

As shown in another context,<sup>18</sup> political and other reasons converged in leading to a disproportionate size of the higher rather than the lower category of staff.

The Report of the Committee of Thirteen was even more explicit in stating that —

from an administrative point of view, it is of great importance that every official in the Secretariat should have the opportunity of reaching the highest posts, not excluding that of the Secretary-General. In the old phrase: "Every private should carry in his knapsack a marshal's baton."<sup>19</sup>

These views finally found their statutory expression in Article 16 of the Staff Regulations, which read that subject to the maintenance of the international composition of the Staff —

vacancies shall be filled by promotion of officials in preference to appointment from outside the Secretariat, and, as between candidates of equal merit from outside the Secretariat, preference shall be given, first, to officials of the International Labour Office or the Registry of the Permanent Court of International Justice, and, secondly, to candidates who have in some other capacity been associated with the work of the League of Nations.

<sup>16</sup> *Op. cit.*, p. 7.

<sup>17</sup> "Organisation of the Secretariat and of the International Labour Office: Report . . .," L.N., *The Records of the Second Assembly, Meetings of the Committees*, Vol. II, pp. 188-89.

<sup>18</sup> See chapter on "Classification of Staff," *supra*, pp. 286-89. <sup>19</sup> *Op. cit.*, p. 13.

Other considerations being equal, weight will be attached to seniority in the service.<sup>20</sup>

The principle governing the promotion of officials from within the administration is thus subject to one important restriction — regard for the maintenance of the international composition of the staff.<sup>21</sup>

The theoretical possibility of reaching the higher posts in the Secretariat through promotion could not be fully sustained. Three major reasons were responsible for this: The posts of Secretary-General, Deputy Secretary-General, and Under Secretaries-General were political, at least in the first twelve years; the number of high posts was comparatively small; both the increase in the membership of the League and the gradual reduction of the permanent staff reduced promotional opportunities.

No comment is needed on points one or two; but a word or two regarding the relation between increase in League membership and the chances of promotion may not be amiss. New member States, especially the important ones, expected to get some of the existing higher posts. Normally these positions should have fallen to meritorious members of the Secretariat. As the number of desirable posts in the higher levels was small, any outside appointment frustrated legitimate expectations on the part of the existing staff. This particularly affected the original British and French officials who had dominated numerically the early Secretariat and whose chances of promotion thereby became smaller and smaller. For one Britisher promoted to a post of Under Secretary-General and finally to that of Deputy Secretary-General or to the post of Director of the Financial Section, there were literally dozens of Britishers whose chances of promotion were nonexistent. This can perhaps best be illustrated by the case of the British member of the Legal Section, one of the first and also one of the ablest officials of the whole Secretariat. As the Secretary-General and, later, the Deputy Secretary-General were British, it was not likely that a Legal Adviser of the same nationality would be appointed. The British official in question was therefore condemned to serve, for twenty years, and under three different directors, as a second. For long periods he directed the Section *de facto* but could not be promoted; for about ten years his salary was equivalent to the top emoluments of a Member of Section.

The unfortunate age distribution of the Secretariat was another

<sup>20</sup> L.N. Secretariat, *Staff Regulations*, pp. 16-17.

<sup>21</sup> See chapter on "National Structure," *infra*, pp. 351-53.

difficulty obstructing promotion.<sup>22</sup> A normal turnover due to persons reaching the age-limit was thus excluded for twenty years or more. About 1940, when more and more of the early appointees would normally have retired, some of the posts were not filled because of the retrenchment imposed upon the Secretariat by the crisis.

The very reasons which diminished the all-round chances of promotion also made a dead letter of the stipulation in the Staff Regulations that "preference shall be given, first, to officials of the International Labour Office or the Registry of the Permanent Court of International Justice." Actually, transfer from the ILO to the League was discouraged. In twenty years, only four or five officials of the First Division moved from the ILO to the League, the transfers being unaccompanied by promotion. There are only two cases on record of officials making the reverse change, and this occurred in the very beginning when the two agencies still had certain services in common.<sup>23</sup> In three cases officials joined the Registry of the Permanent Court of International Justice (Mr. Hammarskjöld and two translators). No transfer from the Court to the League occurred.

If the custom of filling the highest posts from outside restricted the chances of promotion, certain opportunities for promotion within the Secretariat nevertheless did exist. The promotions that took place, however, were clouded by the fact that the title "Member of Section" involved a variety of assignments on very different levels of responsibility. A Member of Section entering the Secretariat at the bottom of his category and reaching the ceiling as a senior Member of Section not only more than doubled his salary but also, as a rule, assumed more responsible duties. Had a greater differentiation of ranks existed this would have been recognized as a promotion by the official himself as well as by others. Moreover, a scrutiny of the staff lists of the different years proves that a number of higher posts were actually filled from below. Most of the Directors of later years had begun as Members of Section. Of the thirteen persons serving with the rank of Director or Chief of Section in 1938, not less than nine had risen from the rank of Member of Section.

Notwithstanding the general custom of appointing the highest officials from outside, one Deputy Secretary-General rose from the rank

<sup>22</sup> See chapter on "Age Pyramid and Stability," *infra*, pp. 345-47.

<sup>23</sup> When the common services were discontinued, Mr. William Martin, who later achieved fame as Foreign Editor of the *Journal de Genève*, moved from the Information Section of the League to that of the ILO; when the Labor Section of the League Secretariat disappeared, the official in charge was transferred to the ILO.

of Personal Assistant (a rank comparable to that of Member of Section and later abolished), another from the rank of Member of Section, and two Under Secretaries-General passed through the intermediate stage of Director on their way up from Member of Section. As in twenty-five years the League had only nineteen highest officers, the balance sheet is by no means unfavorable, especially if it is taken into consideration that four Under Secretaries-General came from Germany and Soviet Russia, whose active membership was only seven and five years respectively.

This raises the more general question whether promotion to the highest posts is desirable from a theoretical as well as from a practical viewpoint. Opinions on this point clash and have never been fully reconciled. Persons with considerable experience in international administration are divided on this point. This was proved by the discussion at two recent conferences held under the auspices of the Carnegie Endowment for International Peace in New York and Washington.<sup>24</sup> The opinion seemed to prevail that under existing circumstances, and pending the creation of a world State, the advantages of calling a number of high officials straight from their native country and appointing them for a comparatively short period of service in the international administration outweighed the obvious disadvantages of such a system. The London Report devotes considerable space to this question. The opinion expressed on this point commands particular authority, as three of its six members had actually served as principal officers, two of them belonging to that rare category of men who had themselves risen to these positions from the rank of Member of Section.

This group of former officials insists that an international service cannot enlist able collaborators nor maintain loyalty and morale unless the usual civil service principles of permanence, promotion for merit, and pension on retirement are adopted. These principles must "stop short of the highest posts; it should not be made impossible for an exceptionally qualified member of the service to reach these posts, but fresh recruits and interchange of nationals are here of overriding importance."<sup>25</sup>

The fact that ten of the seventeen high and highest officers serving in the Secretariat in 1938 had been promoted from the rank of Member of Section reflects a serious effort on the part of the administration to give

<sup>24</sup> *Proceedings of the Exploratory Conference on the Experience of the League of Nations Secretariat, op. cit.*, and *Proceedings of the Conference on Experience in International Administration, op. cit.*

<sup>25</sup> London Report, p. 24.

its Members of Section a chance. But this figure does not reveal the promotional opportunities of individual members. Unfortunately, it is impossible to actually calculate the chances of promotion. Such an estimate would have to take into account all the additions, resignations, and other changes which had occurred from the beginning. It is impossible to do this in a study which cannot avail itself of the collaboration of the Personnel Office. Even if it were possible it would be unscientific in view of the fact that the active life of the Secretariat was too short to furnish appropriate data. Instead, an attempt has been made to examine only one aspect of the problem. On the basis of the Staff List of 1921 (November), a roster of the Members of Section and officials of equivalent rank serving at that time has been established. An attempt was then made to find out who from among their number had reached the rank of Director or a still higher post by 1938. The First Division, below the rank of Director, counted 71 persons in 1921; of these, seven had been made Directors or higher officials before or during 1938.<sup>26</sup> Thus, every tenth member gained promotion. This is, of course, too favorable a picture to be typical for the whole experience. The average chance of the member entering the Secretariat between 1922 and 1930 was considerably lower. The early members, owing to their length of service, their quality, and their special relationship to the first Secretary-General, had, of course, better prospects of promotion in an expanding Secretariat than those entering the service later. The chances of Members of Section recruited around 1930 to be promoted to the rank of Director or higher were practically nil, as the Secretariat reached a dead point about 1940 at the time when their seniority would have begun to count.

In evaluating the consequences of these limited possibilities of promotion upon the morale of the Secretariat the words of a nineteenth century writer should be borne in mind who stated that "the hope, and not the fact, of advancement, is the spur of industry." It is not so much the actual percentage as the existence of promotional possibilities that is decisive for the morale of a staff. In this respect, the Secretariat was not worse than the majority of those foreign offices which reserve ambassadorial positions to their foreign service staffs, as the British and French, the Italian, and the pre-Hitlerite German foreign services.

The writer of this monograph wishes to put on record as his personal opinion, that he is in favor of making the majority of the highest ap-

<sup>26</sup> As the First Division had not crystallized clearly by 1921, those officials have been included among the 71 whose activities or salaries suggested a rank corresponding to the First Division as understood later.

pointments from inside — with the sole exception of the head of the administration. He is led to this conclusion, which applies, of course, only to permanent international agencies, chiefly by the experience gathered by the diplomatic services of countries which reserve their highest ambassadorial posts to outsiders, rather than by the inconclusive and too limited experience of the League. One of the chief arguments which was brought forward in the past for the extension of the merit system in the United States Foreign Service to ministerial and ambassadorial positions was the stimulus which such possibility of promotion would constitute in attracting first-class personnel. A practice which would make the promotion of officials to the rank of Director or above the exception rather than the rule in an international agency would automatically diminish the attraction of service. The practical impossibility of attaining the highest posts would necessarily lower the quality of the entire staff and in the course of time become a serious element of stagnation. The chief argument in favor of outside appointment — that of fresh political contacts and insights furnished by outsiders — is certainly not negligible, but it would not seem strong enough to offset all the evil aftereffects of stagnation and lack of enthusiasm.

The permanent international agency of the future must be careful to arrange its age distribution, its organization, and its hierarchy in such a manner as to give to the gifted members of all categories a chance of promotion comparable to that of a normal national ministerial administration or government department. The highest posts must be attainable though not all of them need be exclusively reserved to members of the staff. To try to compensate restricted possibilities of promotion by material incentives may be effective up to a point, but it is a doubtful expedient. It tends to substitute a less desirable type of candidate for the desirable one. The representative official of the international administration, past, present, and future, should not be one who is chiefly attracted by material considerations.

### 3. PENSIONS ON RETIREMENT

Originally, officials of the League were engaged for short-time service. Most of them were still young; they were not haunted by the specter of old age and insecurity. The situation changed with the establishment of the permanent headquarters of the League at Geneva and the introduction of long-term contracts. Moreover, the growing infiltration into

the International Secretariat of former national officials and the increasing proportion of continental Europeans among the members of the staff made an early solution of the question of security desirable. The appearance of a broad Second Division with a psychology different from that of the original members of the First Division also played its rôle in this development. Moreover, the need for security was accentuated by the fact that the majority of international officials are expatriated. Permanence of tenure, promotion for merit, and pension on retirement form an inseparable trinity in any normal administration. As neither permanence nor promotion for merit were fully guaranteed, the creation of a security system for officials gained additional importance; at the same time, it encountered greater technical difficulties.

#### A. STAFF PROVIDENT FUND

The Noblemaire Report of 1920 adopted the principle of a pension and deferred pay scheme. Subsequently, on January 1, 1924, a Staff Provident Fund was instituted by a decision of the Fourth Assembly.<sup>27</sup> The Fund was the property of the League of Nations and was administered by a Board of Management appointed by the Council. All permanent<sup>28</sup> officials, "whatever the organisation of the League to which they belong," participated in the Fund, with the exception of officials receiving salaries equal to or above the scale assigned to Directors. Officials contributed a sum equal to 5 per cent, and the League contributed monthly an equal amount for each member.

On termination of a member's service or at his death, the official or his heirs were normally entitled to the amount credited to him in the Fund, i.e., the contributions which he had made and the sums which the League had paid into his account, including interest. But the official or his heirs obtained full benefit from the League's contribution only after seven years' service, and no benefit from the League contribution if his service had been less than three years. In case of dismissal for misconduct, the League official had no *right* to the League's contribution to his account.

A "Death and Invalidity Fund" was established as a separate

<sup>27</sup> *Regulations of the Staff Provident Fund*, L.N. Document A.6.1924.X.; *Administrative Rules of the Staff Provident Fund*, L.N. Document A.48.1925.X.; *Staff Provident Fund*, L.N. Document A.7.1926.X.; and *Amendment to Article 6 of the Staff Provident Fund Regulations*, L.N. Document A.72.1926.X. [C.38(1).1926.X.].

<sup>28</sup> The term "permanent official" was employed for purposes of the Staff Provident Fund to indicate persons holding contracts of not less than seven years, or, in the case of locally recruited officials, those engaged for an indefinite period.

account for the benefit of the official's family in case of premature death or of officials retired through invalidity without satisfying all the requirements. It furnished "grants in cases of death or retirement through invalidity of members which appear deserving of special consideration." The Fund did not pay fixed statutory benefits in these cases.

The system of the Staff Provident Fund was not a pension scheme in the strict sense of the term. As Mr. Hambro stated in the Fourth Committee of the 1930 Assembly, it was "a sort of complicated savings-bank." The weakness of the scheme lay in the restriction of its full benefits to officials with contracts of seven years and longer, in the inadequacy of the provisions in the case of death and invalidity of those having served for a short time only, in the absence of old-age pensions or insurance in the usual sense of the word, and, finally, in the exclusion of all higher officials. It was therefore considered more and more unsatisfactory as the years passed. The introduction of a full pension system was demanded by the officials, who were increasingly concerned about their security, and by the Secretary-General himself who felt that it had become a matter of capital importance "in order to secure the best candidates for the Secretariat and to maintain the high standard of the staff."<sup>29</sup>

The peculiar difficulty in replacing this scheme by a more satisfactory one lay in the fact that a great percentage of the League officials had no permanent contracts. A useful pension scheme had to be adapted to the peculiar structure and function of the Secretariat; it had to meet the legitimate claims of the officials with life contracts, to allow the higher staff to profit from its stipulations notwithstanding the temporary character of their appointments, and to suit the officials with longer but not permanent contracts as well as the many persons serving on short contracts which had been extended from year to year for many years.

#### B. THE PENSIONS FUND

The Pensions Fund for the officials of the Secretariat, the International Labor Office, and the Registry of the Permanent Court of International Justice was set up by a resolution of the Eleventh Assembly (1930). It replaced for all practical purposes the Staff Provident Fund. The Pensions Fund was guaranteed by the League of Nations.

<sup>29</sup> Committee of Thirteen, *Report*, pp. 24, 35-36.

The contributions payable by officials were:  $6\frac{1}{2}$  per cent of their emoluments in the case of officials of the First Division, 5 per cent in the case of all other officials. The contribution of the League was fixed for the year 1931 at 9 per cent of the flat rate salaries of the members of the Fund.<sup>30</sup> Benefits were allowable to officials in respect of (1) retiring pensions; (2) invalidity pensions; (3) pensions for the surviving consort or orphans in case of death. The superannuation age was fixed at sixty years.

The maximum pension, equivalent to 50 per cent of the official's average salary during the last three years of his service, was obtainable by officials who had reached the age of sixty, and had served for twenty-five years. An official retiring before reaching the age of sixty, but after twenty-five years of service, might choose between taking his pension immediately, calculated on the basis of the actual length of service and discounted according to the difference between the superannuation age and the age at retirement, or deferring his pension until he reached the age of sixty. Officials who reached the age of sixty and had not served for twenty-five years, or gave up their appointment before completing twenty-five years of service and before reaching the age of sixty, received from the Pensions Fund a lump sum if they had served for a period of between three and ten years; a lump sum or a proportionate or a deferred pension if upwards of ten years. No distinction was made between voluntary resignations and terminations of appointment by the competent authority.<sup>31</sup> This provision was particularly important during the last years when so many officials were forced by circumstances to resign "voluntarily."<sup>32</sup> Officials who had been members of the Provident Fund had the choice of continuing to participate in the Fund or of adhering to the new scheme; all but about sixty transferred to the Pensions Fund.

When the new scheme was put into force it was not possible to foresee, except as a purely theoretical and actuarial possibility, that its solidity would be tested to the utmost of its limits by a crisis threatening the very existence of the League. Only few retirement terms matured prior to the staff retrenchments of 1939 and 1940. As the bulk of the officials had been in their thirties at the beginning, and as thirty was the average age for new appointees, few had reached the age

<sup>30</sup> Respecting the following years, and for further details concerning contributions, see Articles 4-7 of L.N. Document A.25(1).1930.X., in O.J., Special Supplement No. 84, p. 586.

<sup>31</sup> Committee of Thirteen, *Report*, p. 25.

<sup>32</sup> See chapter on "The Crisis," *infra*, pp. 373-77.

of sixty by then. When the crisis came in 1940, about 78 per cent of all officials had to leave within the compass of a few weeks. Most officials were faced by the alternative of accepting a suspension of their contracts or of resigning "voluntarily."<sup>33</sup> The majority had served less than twenty-five years. Most of them chose resignation. The burden which this represented becomes evident from a perusal of the following figures:

Year	Expenditure Budget	Contribution to Staff Pensions Fund
1940 .....	13,238,243	1,563,476
1941 .....	8,111,799	1,500,000
1942 .....	7,807,911	1,427,059
1943 .....	8,364,900	1,409,272
1944 .....	10,089,049 (estimate)	1,345,436 (estimate)
1945 .....	14,868,408 (estimate)	1,365,550 (estimate)

One third of the payments to the Staff Pensions Fund consisted of contributions payable by the League in respect of serving officials, another third was for the annual amortization of the initial deficit, and practically the whole remaining difference represented interest deficiencies attributable to an effort to keep the Fund sufficiently fluid in order to meet capital sums as they became due as well as "the additional liability involved by the very numerous retirements . . . as a result of the drastic retrenchments,"<sup>34</sup> especially in 1940.

Events have proved that the pensions scheme was constructed in such a manner as to meet an unparalleled crisis without breaking down. This result could only be achieved, of course, because the League continued to contribute to the Staff Pensions Fund after 1940 a sum almost equal to that of the years of its affluence. While the League's contribution to the Pensions Fund amounted to about 6 per cent of the Secretariat's expenditure budget in the thirties, it was not less than about 18 per cent in the years 1940-44. This considerable effort on the part of the League to meet its obligations in spite of almost insurmountable difficulties enabled hundreds of officials, suddenly deprived of their incomes, to breach over the temporary unemployment to which they were subjected between 1939 and 1941. The fortunate circumstance that transfer of Swiss francs to practically all countries of the world remained possible in spite of the crisis, and the existence of fluid

<sup>33</sup> See chapter on "The Crisis," *infra*, pp. 373-77.

<sup>34</sup> *Budget for the Twenty-Sixth Financial Period (1944), General Budget of the League and Part I-Secretariat*, L.N. Document C.24.M.24.1943.X., p. 15.

capital overseas made payments to officials who had settled outside Switzerland possible without difficulty. It must be acknowledged that the League authorities made all efforts which were humanly possible to reduce individual hardships to the minimum.

#### C. MUTUAL INSURANCE SCHEME

A mutual insurance scheme against sickness and accidents was established in 1920 on the lines of an arrangement which the League of Red Cross Societies had adopted for the use of its staff. The expenses of this scheme, which was revised in 1922, were borne in equal parts by the League and the participating officials. The operation of the scheme, which was originally restricted to the lower staff, was not affected by the establishment first of the Provident Fund, later the Pensions Fund, since these funds did not constitute any insurance against sickness or accident occurring while an official remained in service. The contribution of the League to the mutual insurance scheme amounted in the average to about 20,000 Swiss francs annually.

## CHAPTER XXIII

### APPOINTMENT AND TERMINATION OF CONTRACT

#### I. THE PROCEDURE

The appointment of international officials followed this procedure: The candidate who had been selected was sent a letter of appointment. Letters of appointment to the First Division were as a rule signed personally by the Secretary-General, who also affixed his own signature to letters of renewal of contracts; appointments to the other divisions were usually signed by the officer in charge of internal administration. The letters of appointment stated: (a) that the appointment was subject to the provisions of the Staff Regulations; (b) the nature of the appointment; (c) the date at which the official was required to enter upon his duties; (d) the period of the appointment, or the notice required to terminate it, and the period of probation; (e) the commencing salary rate and, if annual increments were allowable, the scale of increments and the maximum attainable; (f) any special conditions which might be applicable. A copy of the Staff Regulations was transmitted to the appointee with the letter of appointment. The appointment was conditional upon the receipt of a written acknowledgment on the part of the candidate, who in accepting the appointment had to declare his agreement with the conditions laid down in the Staff Regulations.<sup>1</sup> Appointments which were subject to submission to the Council for approval, i.e., contracts of a certain length offered to officials of the First Division, were considered provisional until approved by the council.

The stipulation subjecting the appointment to acceptance of the provisions of the Staff Regulations was, in some respects, the most important single item of the contract. It implied acceptance of a number of subsidiary conditions which could not be determined at the time of the exchange of letters but upon which the ultimate validity of the contract was dependent. One of these conditions had reference to the question of health. For instance, a person provisionally appointed on the basis of the certificate of a medical practitioner in London or Paris

<sup>1</sup> For the full text of the rules governing appointment, see L.N. Secretariat, *Staff Regulations*, Article 13, pp. 13-14.

was reexamined on entering upon his duties by the Medical Referee of the Secretariat at Geneva. If found unfit for service, the Secretary-General terminated the appointment on such terms as he considered just. Moreover, unless otherwise stipulated in the letter of appointment, the appointee agreed to serve a probationary period. During this time he was liable to discharge upon one month's notice. The Secretary-General also had broad powers regarding the specific employment of officials. For "an official may be required to work in any service of the Secretariat, but in appointing an official to any service or duty, his technical qualifications shall receive consideration." It is true, this very elastic stipulation was made "subject to the terms of his appointment," but it gave the Secretary-General broad discretionary power as to the actual use to which he put an appointee within the Secretariat.

Most important among the individual stipulations which the appointee agreed upon in accepting his appointment was Article 81 of the Staff Regulations, which states that appointment may be terminated by the Secretary-General if the necessities of the service require a reorganization of the staff, provided always that regard shall be had to the legitimate interests of the official as assured by the regulations. Notice of the termination of an appointment had to be given at least six months in advance.<sup>2</sup> The Secretary-General was thus able to discharge an official at any time on the ground or pretext of reorganization without any explanation.

Beginning with October 15, 1932, another stipulation was added subjecting appointments and promotions made after that date to such modifications (Article 30 *bis*) —

as may be necessary to bring them into conformity with any decision of the Assembly, relating to the conditions of employment of officials . . . or to particular special posts, which the Assembly may decide to apply to officials already in the service.<sup>3</sup>

Except for certain steps taken after 1938, the Secretaries-General exercised great reticence in the use of the immense discretionary power vested in them under the terms of the letter of appointment — in the full knowledge that a narrow interpretation would have been detrimental to the chances of assembling a first-rate staff, to the stability of the institution entrusted to their care, and to the morale of the International Secretariat.

<sup>2</sup> L.N. Secretariat, *Staff Regulations*, Article 13, p. 18.

<sup>3</sup> *Ibid.*, p. 22.

## 2. THE APPOINTMENT COMMITTEE

The original staff appointments were made by the Secretary-General without much assistance. There was hardly anybody who had had experience in dealing with international staff questions. The Secretary-General soon felt that he could not deal with all the aspects of staff appointments without some sort of advice. He first charged the Internal Committee, a kind of Jack-of-all-trades entrusted with the most varied questions, with the duty of helping him. Later he decided, in accordance with an agreement reached with the Fourth Committee of the First Assembly (1920), "to place on a broader basis the execution of the duties for which the Secretary-General is responsible in respect of appointments."<sup>4</sup> He created a Staff Committee<sup>5</sup> entrusted with all questions of appointment, promotion, and dismissal, questions of salary and conditions of employment, and all general questions which might be referred to it by the Secretary-General. The important principle was established that in all questions of appointment, promotion, and dismissal the director of the section and head of the service concerned would act as a member of the committee. This Staff Committee was later, in its turn, replaced by a Committee and Subcommittee on Appointments and Promotion. Their function was to "Assist the Secretary-General in regard to the appointment of officials, their promotion and their discharge (except on grounds of invalidity), and in regard to the organisation of the staff." Their function was advisory.

*The Committee on Appointments and Promotion* consisted of officials nominated by the Secretary-General who "shall not be of lower rank than that of Director and shall be of different nationalities." The committee advised the Secretary-General in all cases of appointments, promotions, increase of salary, discharge of probationary officials, confirmation or non-confirmation of appointments, suspension of annual increments, resignations, discharge of officials in case of abolition of posts or reduction or reorganization of staff, etc. The Secretary-General was chairman of this committee.

*The Subcommittee on Appointments and Promotion*, nominated by the Secretary-General, was composed of officials "who may be of lower rank than that of a Director but shall be of different nationali-

<sup>4</sup> Memorandum by the Secretary-General, dated December 22, 1920.

<sup>5</sup> This predecessor of the Appointment Committee must not be confounded with the Staff Committee of later years which was set up as a mouthpiece of the staff. See chapter on "Contractual Status and Safeguards," *supra*, pp. 263-64.

ties." This subcommittee had duties and responsibilities corresponding to those of the Committee on Appointments as respected officials of a salary scale below 11,250 Swiss francs (roughly \$2,800).<sup>6</sup>

This arrangement worked fairly satisfactorily coordinating the opinions of the head of the administration, the personnel office, and the head of the service particularly concerned with specific appointments. The committees proved especially useful in assisting the Secretary-General in the final choice of candidates by interviewing the two or three candidates who had finally been selected from the mass of applicants. The greatest value of the arrangement, however, from the point of view of the head of the international administration, consisted in the moral help it afforded him when he had to make unpopular decisions concerning such matters as the discontinuance of the services of an official on probation, dismissal, or similar decisions. While the appointment committee could not free the Secretary-General from the necessity of making the final decisions, the backing of the committee constituted a major moral support and shielded him from much criticism which would otherwise have been directed against him personally.

### 3. PROBATION

The Staff Regulations provided in Article 23 that "all permanent officials of the Secretariat shall be on probation during the first year of their service," with a corresponding stipulation for temporary officials appointed for a longer period than three years. Paragraph 3 of Article 23 entitled the Secretary-General to "shorten or dispense with the period of probation; he may prolong the period of probation, provided always that the total period shall not exceed two years." In 1933, the administration contemplated extending the statutory probationary period to two years "so that only candidates who have already shown that they possess the necessary professional and personal qualifications will be admitted to the permanent staff."<sup>7</sup> This plan was never enacted. The probationer received a permanent contract which involved compulsory membership in the Pensions Fund; this made dismissal during or at the close of the period of probation something akin to punishment. The freedom of action of the administration was thus morally curtailed.

<sup>6</sup> For the full text of the regulations governing these committees, see L.N. Secretariat, *Staff Regulations*, Article 12, pp. 11-13.

<sup>7</sup> *Supplementary Report by the Supervisory Commission to the 1933 Assembly*, L. N. Document A. 5(a). 1933. X., p. 2.

The system, on the whole, worked smoothly in practice. Cases in which the Secretary-General availed himself of his right to extend the probation period were rare. The apprehension that a probationary period would frighten away suitable candidates proved unjustified. Qualified candidates after entering the Secretariat did not, as a rule, give the probation clause of their contract a second thought. There are cases on record, however, where the probation clause had unexpected consequences and, at least in one case, broader political implications. Prior to Hitler's rise to power, an official of decidedly liberal and international views was appointed to the Information Section and charged with liaison with the German press. This displeased the nationalist and Nazi wing of the German press. The Geneva representatives of these papers engineered a campaign of abuse which was timed to reach its grotesque climax at the moment when the one-year probation of the official in question came to an end. The Secretary-General might have chosen to prolong the official's probation period in view of the criticism this appointment had aroused; he realized, however, that under the circumstances this would have led to a continuation of the artificial publicity campaign, and the probationer was definitely appointed on the termination of the one-year period. The case, fortunately, was an isolated incident rather than a typical occurrence, but it showed how inextricably purely technical staff provisions were bound up with international politics and to what extent appointments of political importance were scrutinized and commented upon in some countries. Those in charge might have tried to "depoliticize" international administration, but politics reentered through the back-door and appeared in the most unexpected disguises and places.

#### 4. CONCLUSION OF SERVICE

Not less than fourteen widely scattered articles of the Staff Regulations deal with contingencies arising in connection with the termination of appointments.<sup>8</sup> Only the major stipulations will be summarized here in order to illustrate the Secretariat practice in typical rather than in special cases.

In contrast to the civil service heads of most national administrations, the Secretary-General of the League held the power of terminating any appointment at any time, without reference to performance

<sup>8</sup> L. N. Secretariat, *Staff Regulations*, Articles 8(2b), 11(3), 15, 18-22, 24, 25, 39, 40, 62, 64.

and efficiency, health, or conduct, on the mere ground of service reorganization.

Appointments could in addition be brought to an end: (1) on the basis of an unfavorable medical report (on entry and after the completion of the first year of service) during the time of probation; (2) on grounds of invalidity; (3) at the end of each seven years' period, in case of lack of capacity or unsatisfactory work; (4) through dismissal in case of misconduct.

Appointments lapsed on officials' attaining the age of sixty years. The Secretary-General was, however, entitled to retain the services of an official up to the age of sixty-five and "for special work" above this age.

Officials were entitled to resign at any time on giving six months' notice or, in the case of temporary officials, in accordance with special stipulations contained in their contracts.

In the case of temporary officials, non-renewal of the appointment was the natural procedure which did not require any specific provision.

In actual practice, cases in which officials were obliged to leave on grounds of permanent invalidity can be counted on the fingers of one hand. Few rejections on medical grounds, either during or upon the conclusion of the probationary stage,<sup>9</sup> were recorded. Dismissals for unsatisfactory work or for misconduct were extremely rare. There are a few instances of sanctions of this kind on record, but there was — until the crisis of 1938 — great hesitancy on the part of the Secretaries-General in making use of their prerogative in this respect. Whenever feasible, an opportunity was given the official to resign. Among the few recorded cases of dismissal there is one that merits mention because of the political circumstances which accompanied it. An official serving as secretary to an international commission of enquiry set up in connection with a dispute brought before the League, lost the confidence of the commissioners because of acts considered by them as irresponsible. The chairman of the commission lodged a formal complaint with the Secretary-General by cable demanding the recall of the official, who, pending the decision, was forcibly prevented from exercising his functions on board the warship on which the headquarters of the commission had been established. The Secretary-General, considering the evidence adduced in support of the complaint as sufficient, acceded to the request and dismissed the official. In another somewhat similar instance, the Secretary-General disregarded the complaint. A govern-

<sup>9</sup> See section on "Probation," *supra*, pp. 319-20.

ment, party to the dispute, officially demanded the recall of an official who served as secretary to a commission of enquiry, accusing him of bias. The Secretary-General refused to take action as he was satisfied that the official in question was fulfilling his duties in a truly impartial spirit. In and after 1938 the Secretary-General availed himself in a considerable number of cases of his authority to terminate appointments on grounds of reorganization.

## CHAPTER XXIV

### RECRUITMENT OF INTERNATIONAL PERSONNEL

#### I. DIFFERENCE IN REQUIREMENTS

Recruiting for international administration raises all the basic problems of recruiting for national administration, as, for instance, merit versus the spoils system, patronage, educational and age requirements. But the order of importance of one or the other element is changed or even reversed in the case of international administration. Age-limits cannot be fully adhered to. Educational requirements must be interpreted in a more liberal manner. Examinations cannot occupy the central position in the establishment of an international merit system. Loyalty must be visualized differently. General suitability for work in an international organization is not identical with suitability for national civil service. Adaptability to work in a multinational body defying all previous experience of practically all candidates must be defined differently in its application to service in an international agency. Salaries must be fixed at rates likely to attract persons of more than average ability.

Recruiting for international administration raises in addition a number of problems practically unknown in personnel selection of national administrations. Knowledge or gift of languages, for instance, is not usually a point of consideration with the chiefs of personnel, except in the foreign services. It has played a great, possibly a disproportionate, rôle in recruiting for international posts in the higher administrative brackets. Preparedness to expatriate oneself and suitability for work under unfamiliar conditions of life are other elements not common to national administrations in normal times, apart from their foreign services. Yet even the expatriation of the foreign service officers, usually interrupted by periods of service at home, is not fully comparable to the permanent expatriation demanded from the international official.

Generally speaking, the League was able to adapt its recruiting methods to the special circumstances and to attract and hold a remarkable international team of officials coming from more than forty countries. It was helped in this by the fact that the level of salaries

was sufficiently high to act as an additional incentive, especially up to 1932, when the salaries of new appointees were cut by 10 per cent and when, under the impact of economy measures, new officials were often offered the minimum salaries in their respective categories. Surveying the position as it existed around 1935, the administration and the Supervisory Commission came to the conclusion that "under the conditions at present offered, it is not possible to obtain officials of the same quality as previously, and even, in certain cases, to keep them."<sup>1</sup> This applied particularly to recruits from Anglo-Saxon countries.

In the following pages, an attempt is made to describe the major problems which the administration had to face in the recruitment of personnel and to analyze and evaluate the experience gained.<sup>2</sup>

## 2. POSITIVE ATTITUDE TOWARD THE LEAGUE

A positive attitude toward the aims of the international organization is one of the basic qualifications for staff members of an international administration. In the early days, when the League staff was almost exclusively composed of men and women who had joined out of enthusiasm for its purpose, the situation was satisfactory in this respect. But as the number of different nationalities represented in the staff increased, enthusiasm or even a positive attitude toward the League on the part of officials could no longer be taken for granted.

It is admittedly difficult to test a person's belief in the philosophy of international collaboration and in the principles of the Covenant. Positive assertions may be nothing more than lip service. The only way to arrive at an estimate is to probe into the past of a candidate and to scrutinize his or her public utterances and writings. Former political allegiances may in many cases give a clue to the psychology of a candidate, especially in the case of Europeans, whose political parties are more divided by *Wellanschauung* than those of the North American Continent. Such probing into political associations is, however, a delicate matter, and the results may be altogether misleading. Personal

<sup>1</sup> "Second Report of the Supervisory Commission to the 1937 Assembly," L.N. Document A.5(a).1937.X., in O.J., Special Supplement No. 173, p. 111.

<sup>2</sup> The controversial question of training for international service has been explored in the following publications: *Proceedings of a Conference on Training for International Administration*, *op. cit.*; G. Weiss, "Training an International Civil Service," *The London Quarterly of World Affairs*, Vol. X (January, 1945); and the author's, "Training for International Administration," *op. cit.* There is no unanimity of opinion regarding the best means of securing qualified candidates for international civil service. The opinion of persons with practical experience in the League and the ILO emphasizes "inside training" without excluding the possibility of specialized academic training for the higher brackets of international administration.

interviews may throw additional light upon the beliefs of a candidate but they are certainly not conclusive.<sup>3</sup>

Sufficient attention was not always paid to this problem by the League authorities, who, it must be granted, faced a serious dilemma. Had they insisted upon a positive attitude toward the League on the part of nationals of some of the revisionist countries, they would have been compelled either to engage officials who were *persona non grata* at home, or forego altogether appointing officials from those countries. In the case of a large power such as Germany, the Secretary-General could not possibly have adhered strictly to such a procedure without raising questions of major policy or possibly jeopardizing the whole relationship of that country with the League. Such a solution, however, would certainly not have been approved by the governments of the community of states. If they considered a country fit for membership they would not have condoned the blocking or endangering of their political decisions by personal problems. Had the attitude of the German candidates for posts at the Secretariat been subject to test in 1926, it may be surmised that a number of them would not have passed.

The proposal was made by a former high official of the League that the future international organization restrict recruitment to persons with a firm philosophical belief in international collaboration.<sup>4</sup> This suggestion has much to recommend it. It presupposes, however, the creation of an agency that accepts as members only democratic countries of tested peacefulness. This theory certainly corresponds to *one* concept of international organization. There is, however, another concept which has recently found expression in the proposals published under the title "The International Law of the Future," issued by the Carnegie Endowment for International Peace.<sup>5</sup> Proposal I of this scheme conceives international organization as being on a universal basis and stipulates that "All States which exist or which may come into existence in the future should be included," and that "No provision should be made for the expulsion or withdrawal of any State."

The concept of all-inclusive membership has found official expression in comments and suggestions regarding the Dumbarton Oaks proposals which were submitted by Mexico (September 5 and October 31, 1944) to the Department of State of the United States, in

<sup>3</sup> See Boudreau, "International Civil Service," *op. cit.*, pp. 81-82.

<sup>4</sup> *Proceedings of the Conference on Experience in International Administration, op. cit.*

<sup>5</sup> *The International Law of the Future; Postulates, Principles, Proposals; A Statement of a Community of Views by North Americans*, International Conciliation, No. 399, April, 1944 (New York: Carnegie Endowment for International Peace, Division of Intercourse and Education, 1944), pp. 251-379, at p. 314.

which it is stated that "all the States of the world should obligatorily form part of the organization."<sup>6</sup> In the case of the acceptance of the concept of compulsory membership it would hardly be possible to establish a rule by means of which an unqualifiedly positive attitude on the part of the officials of the agency, whatever their nationality, could be enforced. The permanent secretariat would be threatened with estrangement from the realities of international life.

### 3. "PERSONA GRATA"

#### RECRUITING INTERNATIONAL PERSONNEL

One of the most delicate aspects of the recruiting process, as regarded the higher officials, was the necessity of appointing the best qualified person and at the same time securing at least the tacit agreement of the candidate's country of origin. The appointing authority had to navigate between the Scylla of becoming a tool of the individual governments in personnel matters and the Charybdis of antagonizing the member States.

Officially, the individual government had no authority whatsoever in the appointment of international officials. But it was important for the Secretary-General to compose the First Division of his administration in such a manner as to secure a maximum of good-will on the part of the members. Although the officials were international civil servants, many of them had to interpret national policies to the Secretariat; others occasionally had to fulfil liaison functions at home. During the meetings of the Assembly or of committees, officials frequently acted as intermediaries between the international center and the national delegations. It would therefore have been disadvantageous to have officials that were entirely unknown, antagonistic, or unacceptable to their governments. In order to preclude any such development, a practice was introduced which consisted in an informal exchange of information in the case of certain appointments. The appointment of the highest officials, in view of the political position of these men in the Secretariat, was of course a matter of direct and official negotiations. Appointments to the Second Division were made under the exclusive responsibility of the Secretariat. But for the majority of appointments of the First Division a system developed that took into account the

<sup>6</sup> *Inter-American Conference on Problems of War and Peace, Mexico City, February, 1945; Handbook for the Use of Delegates* (Prepared by the Pan American Union [Washington], 1945), p. 115. Mimeographed.

legitimate apprehensions of the government whose citizen the candidate was as well as the political importance of the post which had to be filled. Some governments, the British, for instance, did not interfere or exercise their influence except in the case of top positions. Others, like the German Government, actually prepared lists of candidates for the benefit of the Secretary-General.

Generally speaking, League practice consisted in first selecting candidates and subsequently getting in touch with the foreign office of the candidate's country in order to secure at least tacit consent to the prospective appointment. This system had a twofold advantage; since the League did not possess any investigating authority of the FBI type, its personnel office could not be expected to be fully familiar with the antecedents, background, and reputation of applicants from some fifty countries. As a consequence, it had to rely chiefly upon the information supplied by the candidates themselves. This contact with national authorities had the advantage of affording a check upon the candidate in his own country. More important, however, than this was the assurance gained by this procedure that the candidate was acceptable to his own countrymen. The mere absence of any objection on the part of the home government afforded the League a kind of collateral security. There was, of course, danger of abuse in this veiled veto power, especially in the case of non-democratic governments. But the danger was lessened by the fact that most governments wanted to see as many of their nationals in the Secretariat as possible. They knew that the Secretary-General had a wide range of countries from which to choose his appointees and that more likely than not a citizen of another country would be selected if they objected to a candidate of their own nationality. As country after country abandoned democratic principles, the tendency to interfere in staff appointments from outside increased, and the circle of candidates who were acceptable both to the League and to their governments grew smaller.<sup>7</sup>

#### 4. EDUCATIONAL QUALIFICATIONS

The Staff Regulations stated that —

Candidates for appointments in the First Division must possess educational qualifications corresponding to what is required for admission to the higher grades of the Civil Service of their respective countries. . . .<sup>8</sup>

<sup>7</sup> The specific problems and consequences arising out of these political developments have been treated elsewhere in this study. See chapter on "Problems and Pains of Growth," *supra*, pp. 249-55.

<sup>8</sup> L.N. Secretariat, *Staff Regulations*, Annex I, section 5, p. 51.

The majority of the First Division officials met the educational requirements. As conditions of admission to the higher grades of the civil service are fairly uniform all over the world, no special problems arose from this stipulation. The rule was not enforced too literally. The mere fact that somebody had been received into the diplomatic service of his country was, for example, considered sufficient proof of the fulfilment of educational requirements. In the Information Section a successful career as a journalist or as a press officer of a national department was considered equivalent to an academic degree.

The requirements for the Second Division were less definite than those laid down for the First Division. "Candidates for appointment in the Second Division," the Staff Regulations stated, "must possess a good secondary education or its equivalent." In practice, higher educational qualifications were required from the members of the clerical and stenographic staff than in the case of similar junior positions in national administrations. While knowledge of the two official languages was not as strictly enforced as in the First Division, some knowledge of English was demanded of the French, and of French from the English candidates. Moreover, the international composition of the First Division, the staff of which did not in every case possess a perfect knowledge of the official languages, made a relatively high educational level of the secretarial staff a necessity. Secretaries and stenographers were called upon to make corrections in the memoranda and letters which would not be necessary, in the words of the Secretary-General, "if they were working for officials having perfect command of the languages in which the work is done."

Second Division officials aiming at promotion to the First Division had to fulfil all the educational requirements of that Division. Many ambitious Second Division clerks tried to acquire degrees at the University of Geneva or at the Geneva Graduate School of International Studies in order to qualify for higher appointments.

## 5. LANGUAGE PROFICIENCY

Following the precedent set by the Peace Conference, the business of the League was dispatched in French and English.

The Staff Regulations contain no statement pertaining to language proficiency as a prerequisite for appointment. But when making an appointment the Secretary-General assured himself that any candidate singled out for closer investigation possessed the necessary knowl-

edge of both languages. While officials were free to choose for themselves the language in which they desired to work, each official of the First Division was expected to have sufficient command of both languages to follow discussions and to deal with correspondence, memoranda, or files in English and French. It was left to him to write minutes or make annotations in the language of his preference, but he was on the whole expected to make his comments in the language of the *dossier* in question. Moreover, each of the directors, with very few exceptions, had his preference, and a member who would have been unable to follow a section meeting<sup>9</sup> in the language habitually used in his section labored under a distinct disadvantage. In some sections with a large and mixed membership, as for instance the Information Section, the section meetings were held bilingually, each member speaking in the language most familiar to him or her. All this meant that a comparatively high standard of knowledge was required, especially in French, if the candidate chose to do the bulk of his work in English. Local conditions also made fluency in French imperative, including the fact that the bulk of the locally recruited Third Division as a rule did not speak English.

Persons whose mother tongue was neither French nor English were therefore under a particular disadvantage. The requirement of the full command of one, and a working knowledge of the other, narrowed at the outset the circle of candidates who were able to compete successfully.

League officials and committees charged with questions of internal organization of the League could not avoid tackling the language problem. Apprehension was felt lest the appointing authorities attribute too much importance to this qualification when considering the all-round suitability of a candidate. This concern is reflected in a statement contained in the Majority Report of the Committee of Thirteen, which warned that —

too much importance should not be attached [in recruiting] to a knowledge of the two official languages, as this would tend unduly to favour French and British candidates.<sup>10</sup>

<sup>9</sup> See chapter on "Principles and Structure of Organization," *supra*, p. 93.

<sup>10</sup> *Op. cit.*, p. 17. M. Rappard (Switzerland) who enquired in the Fourth Committee of the 1930 Assembly what was meant by the words "too much" was answered by Mr. Gallavresi, his Italian colleague, that it was "somewhat difficult to explain this matter. . . . The point is that too much stress should not be laid on the linguistic test for an official in his capacity as national of a country which has neither of the official languages," O.J., Special Supplement No. 88, p. 209.

Another aspect of this question may be best summed up in the formula "language proficiency versus general efficiency," implying that a natural gift for languages is sometimes not a corollary to other qualifications but, on the contrary, may exist in inverse ratio to other qualifications. Practice suggests that overemphasis with respect to language proficiency in the recruitment tends to lower rather than raise the standard of international administration.

Albert Thomas is proof that a man can be a good, even a great international official without ever being able to master the second official language. If his insufficient command of English made him less successful with English-speaking delegates than with those whom he could address in his mother tongue, his case also proved that other qualifications are more essential. On the whole it is easier for a normally gifted person to acquire the necessary standard of language proficiency than to overcome a general lack of administrative qualifications or talents. The present tendency to employ in international organization one official language would, apart from other advantages, facilitate many staff problems and contribute to efficiency.<sup>11</sup>

This appraisal of the rôle of linguistic proficiency must not be understood, however, as implying that knowledge of languages has no advantages of a technical as well as a psychological nature — independently of the question of the bilingual or monolingual character of the future international administration. A person unable to speak or read another language has little access to the understanding of other peoples or cultures; the picture of the world he possesses is almost certainly exclusively centered around familiarity with his own background and nation. He is apt to measure everything with the yardstick of his own civilization and its traditions, and to find it difficult to recognize the legitimacy of differing attitudes. The knowledge of another language suggests that a person has become aware of national differences and that he will not, in his encounter with other national viewpoints, project his own standards and evaluations into other worlds. For this reason, rather than because of the advantages of technical proficiency in a foreign language, is the knowledge of a foreign language valuable and helpful for persons whose work is being accomplished in constant

<sup>11</sup> The reader who is interested in this question is referred to Chapter VII of the London Report (*The International Secretariat of the Future, op. cit.*) drawn up by a group of former officials of the League. This report concurs with the view expressed here by stating that in the case of officials of the "administrative grade," apart from translators and language specialists, "general linguistic capabilities should not be given an extremely high premium in the appointment of this class of official" (p. 26).

contact and collaboration with persons belonging to other civilizations and cultures. But this is by no means identical with the rather mechanical requirement of proficiency in one or the other language as a basis for successful competition for employment in an international secretariat.

## 6. EXAMINATIONS

Examinations are a part of the merit system. The place which an administration accords to the results of examinations open to the widest possible circle of candidates is usually a fair index of the degree to which the merit system actually operates. Permanent international administration is no exception, but the obstacles to implementing the principle in daily practice are far greater. An initial difficulty is created by the manner in which international administration usually comes into existence. A great many posts on different levels have to be filled immediately or very shortly after the creation of the agency. Appointments of officers in the higher administrative brackets are, in this first stage, made on the basis of records of the past activities of candidates. In this formative period it is the agency which frequently solicits these men or women to join. Examinations in such cases are out of question. Once the agency is established, the situation changes. Appointments are usually made on the basis of applications, even if they are often unofficially suggested by the appointing agency.

The main difficulties of the examination system as applied to international administration are twofold: In the administrative class the candidate called upon to fill a newly created post, or one that has become vacant, must possess qualifications different from those that are measurable by examinations, above all, personality, general ability, and considerable experience. Some of these qualifications may be a handicap in an examination rather than an asset. Secondly, most persons suited for this type of appointment were around thirty at least and had already achieved professional success, sometimes eminence. As a matter of fact, it was their past professional record that singled them out in the preliminary weeding out of candidates. Candidates of their caliber will prefer to withdraw their application rather than submit to an examination. This applies especially to Continental Europeans and also to a great percentage of the eligibles from Latin American countries. Moreover, candidates from these countries grow up in educational systems that do not create the examination habit as does

the educational system existing in North America, and to a certain degree also in England. Europeans with the university degree of Ph.D. in Political Science, Economics, Philosophy, or Sociology have, as a rule, taken only one or two examinations during their whole university training.

Another major obstacle can be found in the difference in the educational backgrounds of candidates coming from such widely different and separated countries as China and Rumania. Certain university degrees, however, irrespective of the country that confers them, represent a fairly good common educational denominator. It can be assumed that a doctor of laws from Australia and one from Switzerland have about the same general grasp of legal problems and a similar professional approach even if their legal systems should be based on different concepts. This does not necessarily mean that it is also easy to evolve types of examinations which would be equally fair to all candidates, and equally enlightening and useful to the examining international agency. Standardized questions and methods of grading would inevitably lead to discrimination in favor of or against certain candidates according to the degree to which the method of examination corresponds to the psychology of the candidate. The type of examination to which, for instance, American candidates for the Foreign Service are subjected <sup>12</sup> — excellent for the purpose of bringing out the qualifications possessed by young Americans — would be unfair to Latins, Scandinavians, and Slavs whose minds move in a different direction and who have been accustomed to entirely different methods. On paper, the system of examination looks most equitable, precluding arbitrary and undue patronage. In practice it would fail to do the very thing it is expected to accomplish. The London Report suggested as a way out of this dilemma that "large countries or several contiguous countries with similar academic traditions should be regarded as separate examination areas." <sup>13</sup>

The method of formal examination loomed increasingly large in later years and became, on paper at least, more and more the rule. The increasing emphasis on this point is reflected in the relevant passages of the two key reports dealing with organization, methods of work, efficiency, numbers, salaries, and other questions of internal administrative organization: the Noblemaire Report of November 1, 1921, and the Report of the Committee of Thirteen, dated June 28, 1930.

<sup>12</sup> See Annex I, *Proceedings of a Conference on Training for International Administration*, *op. cit.*, pp. 126-28.

<sup>13</sup> *Op. cit.*, p. 25.

The Noblemaire Report stated that the system of recruitment in force in the initial period must, in the future, —

be replaced, as a general rule only to be departed from in very special cases where the necessity for such departure can be established, by that of "competitive selection."<sup>14</sup>

The Committee of Thirteen recommended:

In order to ensure complete fairness, it is desirable that every vacancy should be advertised as widely as possible, and should be filled by competitive examination or selection, the Secretary-General being empowered, should he think it necessary, to reserve certain examinations or competitions for nationals of countries which are not yet adequately represented in the Secretariat.<sup>15</sup>

The Provisional Statutes for the Staff of the International Secretariat, issued on June 1, 1921, characteristically enough, do not mention examinations at all. The Staff Regulations in force in later years, on the other hand, contained the following explicit paragraphs:

1. Before making an appointment, the Secretary-General will normally hold an examination or competition. Appointments will not necessarily be made solely on the basis of the results of such examination or competition.

2. The Secretary-General may offer any post of a special character or special importance to a person whose qualifications render him particularly suitable for appointment.<sup>16</sup>

When making appointments to the First Division, the Secretariat resorted increasingly, from 1930 on, to examinations in the selection of Members of Section of the lower bracket, especially in the technical sections. If the Economic and Financial Section needed a first-class research assistant for the Economic Intelligence Service the qualifications were so clearly defined that an examination would be really useful. Should the examination, in such cases, actually discriminate in favor of a candidate with a certain kind of training the purpose of the examination was achieved. Examinations were sometimes held simultaneously in three or more capitals, for instance, in London, Copenhagen, and Berlin.

In most cases a few candidates were selected from among the great number of applicants whose age, language proficiency, experience, etc., met the chief requirements. Considering the number of applications, the number of persons actually qualified was usually astonishingly small. In the case of the author's own appointment, only three or four out of 103 applicants were seriously considered. If the selected

<sup>14</sup> *Op. cit.*, p. 7.

<sup>15</sup> *Report*, p. 17.

<sup>16</sup> *Op. cit.*, Article 14, pp. 14-15.

candidates were found acceptable by their governments, — a point which played a proportionately greater rôle in appointments for political posts, — the Director personally got in touch with the respective candidate. In the instance of the author's appointment as member of the Information Section charged with liaison with the German press, M. Comert, Director of the Section, first talked to the candidates selected in Berlin and then came to London where he subjected the author to an informal, but none the less serious, examination. This examination centered not so much on technicalities — a foreign correspondent and director of a syndicated news service was obviously technically qualified for a public relations job — as on finding out the candidate's approach to the question of international cooperation and his temperamental suitability for the delicate post.

Other appointments were made in a less personal manner. A small number of the candidates of final choice were invited to come to Geneva at the expense of the League, where they were brought before the Committee on Appointments. The whole procedure corresponded to the weeding out process for diplomatic appointments known to all Foreign Offices and to the personnel agencies of national administrations. The influence of the head of a service in selecting a candidate was less decisive than, for instance, in American practice. In the League the head of the administration assumed a greater share of personal responsibility.

In the Second Division, examinations were the rule and worked satisfactorily. The majority of posts in this category had to be filled with persons whose mother tongue was either English or French or who had complete mastery of one of these languages. This facilitated the establishment of a fair and equitable system of examination.

The chief if somewhat negative value of examinations for the more responsible posts was perhaps that it provided the League with a safeguard against the less qualified candidates in whose behalf strong pressure was being applied by a government or a delegate. It helped to reduce the danger of patronage and nepotism. The London Report, which shares the opinion of the impracticability of the examination system for *all* officials, adds another argument in favor of examinations from an international point of view:

Foremost is the salutary publicity for the organization as a whole which results from this more intimate relation to the public and from the realization by qualified persons that they can hope to win by their own merits positions in the international secretariat.<sup>17</sup>

<sup>17</sup> *Op. cit.*, p. 25.

## 7. PUBLICITY FOR VACANCIES

The First Assembly (1920), adopted a report by Sir James Allen on the staff and organization of the Secretariat which recommended "that information regarding vacancies on the staff of the League be made as public as possible."<sup>18</sup> The Noblemaire Report was silent on this point, but the Report of the Committee of Thirteen<sup>19</sup> insisted that "In order to ensure complete fairness, it is desirable that every vacancy should be advertised as widely as possible." Vacancies in the Secretariat were to be filled, on principle, by promotion from within the administration in preference to appointments from outside.<sup>20</sup> As to candidates from outside, preference was to be given to the officials of the ILO and the Permanent Court of International Justice.

The Provisional Statutes for the Staff of the International Secretariat of 1921, did not explicitly provide for any publicity. On the contrary, they reflected considerable skepticism regarding the mere possibility of publicity by stating:

As it may be very difficult, or even impossible, to make vacancies on the staff public in all the countries Members of the League of Nations, in order to obtain applications for each separate post, and as on the other hand applications from citizens of the Members of the League are constantly received in great numbers and filed in the Secretariat, the director or head of service concerned shall, before making a proposal for an appointment, pay due attention to such previous applications as may merit consideration in each case. The Staff Committee will, before agreeing to an appointment, ascertain that this has been done.<sup>21</sup>

This stress upon applications which happens to be filed in the Secretariat disappeared from the definitive Staff Regulations of 1933, which read in Article 16, sections 4 and 6, as follows:

4. Where it is desirable to secure candidates from outside the Secretariat, the International Labour Office and the Registry of the Permanent Court, appropriate publicity shall be given to the intention to make the appointment and as long time as possible be allowed for the submission of applications.

6. A register shall be kept of those applications for employment in the Secretariat which appear to merit consideration, and the claims of persons entered therein who possess suitable qualifications shall be examined whenever it is proposed to make a new appointment to the Secretariat.<sup>22</sup>

It is indicative of the shift which had occurred between 1920 and 1930 that there was no *formal* obligation on the part of the Committee on

<sup>18</sup> L.N., *Records of the First Assembly, Plenary Meetings* (Geneva, 1920), p. 671.

<sup>19</sup> *Op. cit.*, p. 17.

<sup>20</sup> See chapter on "Duration of Service, Advancement, and Security," *supra*, pp. 305-6.

<sup>21</sup> *Op. cit.*, p. 6.

<sup>22</sup> L.N. Secretariat, *Staff Regulations*, p. 17.

Appointments — the successor of the Staff Committee mentioned in the Provisional Statutes — to examine applications that had been registered.

The problem of publicity for vacancies was complicated by the world-wide membership of the League and the international character of its staff. It was further complicated by the fact that the Administration, in order to secure a fair nationality distribution within the Secretariat as a whole and the different sections in particular, had to restrict its publicity according to the needs of the moment, from case to case, to countries which were underrepresented. Moreover, the need for an expert or specialist of a particular kind favored a selection from countries most likely to produce candidates with the desired qualifications. If a certain type of economist or research worker was needed, candidates from countries whose universities or research institutions enjoyed world-wide repute in that particular field were invited to submit applications.

The "appropriate publicity" consisted in signifying openings in the League Secretariat to organizations whose membership suggested interest in the League (as the League of Nations Associations in the different countries), and in inserting advertisements in a small number of selected newspapers. This system was admittedly unsatisfactory and remained arbitrary in many respects. Taken as a whole, official publicity played a very small rôle. The author is not aware of a single case of a former colleague whose appointment was due to his eye catching an advertisement in a newspaper or magazine carrying a League of Nations notice of vacancy. Information on such openings reached potential candidates in different ways, sometimes accidentally, and in not a few cases in a grapevine manner. Moreover, League vacancies were so scarce in view of the world-wide recruiting basis and were considered so attractive, professionally and materially, that those particularly interested in them managed to keep themselves informed. In some countries, governmental agencies considered such openings important enough to canvass unofficially countrymen whom they considered qualified. The net result was that the problem of reaching a broad stratum of candidates never became a serious worry to the League authorities, who suffered from an *embarras de richesse* rather than from a scarcity of candidates.

It is not suggested that this method produced the best results and that the League actually came into contact with those best qualified in each case. Doubt as to the efficacy of this method never disappeared

from the minds of delegates, and the Fourth Committee of the Assembly repeatedly took up the question of publicizing the existence of vacancies. If these efforts were unsuccessful it was not the fault of the administration. No procedure that might have been devised would have been satisfactory to all. Moreover, any attempt at greater publicity would have involved the League in disproportionately greater expenditure and efforts and would hardly have yielded correspondingly better results.

#### 8. CANDIDATES FROM OTHER CIVILIZATIONS

The attempt, described in another context,<sup>23</sup> to have the principal regions and cultures represented by the League membership also represented in the personnel of the Secretariat created peculiar problems of recruitment. While the problems facing the administration were fairly similar in Europe and Latin America (culturally very much akin to Europe), the task of recruiting officials from the Eastern, especially the Far Eastern countries provided the administration with a succession of dilemmas. Candidates from the Middle East were usually educated in the French educational tradition, even when they had received their higher education at home. No major difficulty arose therefore in this respect. The situation was altogether different in regard to the Far East. It varied considerably between a country such as India and countries like China and Japan. As the experience of twenty years shows, the League administration found it particularly difficult to recruit Indians who were competent as well as representative of the Indian civilization. It is not suggested that none of those who actually served met these requirements, but such cases were rare. The apparent lack of suitable candidates from India was not due to a dearth of qualified persons. Indian universities produced a sufficient number of suitable candidates, but, as Mr. Martin Hill pointed out on the occasion of the Conference on Training for International Administration held under the auspices of the Division of International Law of the Carnegie Endowment for International Peace in Washington in 1943, "the Indian Civil Service skimmed the cream of the younger Indian graduates." It "offered salaries which were not only higher absolutely, but — in view of the difference in an Indian family's cost of living in Geneva and in India — incomparably higher relatively. Other services and professions in India likewise offered the intelligent and educated Indian

<sup>23</sup> See chapter on "National Structure," *infra*, p. 351-53.

a standard of remuneration which tended to make anything we could offer in Geneva quite unattractive from a financial point of view.”<sup>24</sup> There is, however, another aspect to this question, the rather delicate problem of the relationship of educated young Indians to the British-Indian Administration. Indian candidates could not, under the given circumstances, be appointed without at least the tacit consent of the India Office in London. Many candidates, fully qualified from the point of view of the League, might not have been *personae gratae* to the India Office at London.

The problem was different in regard to the other countries of the Far East, since their educational methods on the academic level did not necessarily rest upon European educational standards as did those prevailing under British influence in the universities of India. Local recruiting might have yielded candidates with representative qualities and traits, citizens typical of their countries, but they might have been unable, to work in English and French or to adapt themselves to the modern rational processes of public administration of the Western type. The League therefore resorted to recruiting candidates in London and Paris, preferably those with European or American degrees. No wonder that persons thus recruited were not always truly representative of their country.

The experience suggests that the disadvantages of the League method of choosing the path of least resistance were greater than the advantages, and that the results looked more equitable in the staff lists than they really were. In spite of undeniable risks, an international administration of the future will therefore do well to recruit the bulk of its Asiatic collaborators in their respective countries of origin.

<sup>24</sup> *Proceedings of a Conference on Training for International Administration, op. cit.*, pp. 122-23.

## C. STAFF COMPOSITION AND STRUCTURE

### CHAPTER XXV

#### EXCHANGE AND LOAN OF OFFICIALS

##### I. SECONDING BETWEEN INTERNATIONAL ADMINISTRATIONS

The budget of the ILO was part of the League budget, as was that of the Permanent Court of International Justice. Moreover, certain tasks in connection with the registration of conventions concluded under the auspices of the Labor Organization fell upon the Secretary-General of the League. Originally it was believed that the League Secretariat and the ILO would be closely associated with each other administratively. Certain common services were established<sup>1</sup> and it was assumed that the Secretary-General would exercise a certain administrative influence upon the ILO. This was contrary to the ideas entertained by M. Albert Thomas, the Director of the ILO, who on assuming office introduced a number of *faits accomplis* aiming at a complete administrative separation of the two secretariats from the point of view of organization and staff. There developed certain differences not only in the classification of the staffs but also in a number of other more or less important aspects of international administration.<sup>2</sup> Even the staff regulations of the two agencies showed divergences. After an unsuccessful attempt to maintain certain of the common services, the staffs of these two agencies were completely disconnected from each other. This was wise in principle, because it prevented *a priori* any inclination on the part of the two agencies to enter into competition with one another over officials of special merit and qualifications.

The question has arisen as to whether it would not have been feasible to centralize, either in the League Secretariat or in the ILO,<sup>1</sup> certain fact-finding and fact-checking services, except in the case of highly specialized subjects. As Mr. Archibald A. Evans pointed out, "Data relevant to general economic and social background can be analysed for all the various institutions concerned in one place and by one

<sup>1</sup> See chapter on "Principles and Structure of Organization," *supra*, p. 85.

<sup>2</sup> See chapter on "Secretariat and International Labor Office," *infra*, pp. 386-90

staff."<sup>3</sup> But such was not the concept of the heads of the two administrations, especially of the directors of the ILO. In practice the separate identity of the two Secretariats was more and more emphasized and the two bodies, as already stated, evolved into two different corporate entities. Furthermore, there were very few permanent transfers from one agency to the other. The number of officials coming over from the Labor Office to the League did not exceed four in the course of twenty years.<sup>4</sup>

Under normal circumstances personnel was not even exchanged on a temporary basis and in the twenty years there were few cases where a Member of Section or an official of corresponding rank was loaned or detailed for some specific job. This does not apply, however, to the months when the Assembly or the Labor Conference were in session. On those occasions it became more and more customary for the League to help out the Labor Office and vice versa, with minute writers, interpreters, and similar highly specialized officials who (because of their nearly monopolistic qualifications) could not be easily obtained elsewhere. This was especially the case in later years when economy and reduction of staffs led to a reduction of the "marginal personnel." The two agencies could no longer afford to keep personnel not fully employed in the normal routine of the work all through the year.

In addition to this type of specialized personnel, a number of officials of intermediary and lower rank were interchanged during busy periods, and in this respect it proved increasingly important for the big meetings (Assembly of the League and International Labor Conference) to be held at different periods. Temporary arrangements of this type worked satisfactorily only if the loaned official was completely under the administrative authority of the agency receiving the assistance. Temporary loans of officials were, of course, made *within* the Secretariat of the League and the International Labor Office, but even this practice was reluctantly accepted by the Director of Personnel.

Apart from this very restricted interchange of officials within the two agencies and between the two big international organizations, another type of seconding personnel developed in the thirties. An increasing number of important conferences were held, under the auspices of individual governments or groups of governments, outside Geneva (at Lausanne, Brussels, etc.). It became more and more the

<sup>3</sup> "The International Secretariat of the Future," *op. cit.*, p. 67.

<sup>4</sup> For further details, see chapter on "Duration of Service, Advancement, and Security," *supra*, p. 307.

habit to rely upon help from the League and the International Labor Office for the secretarial work properly speaking and for technical services. The chief reason for this development was the general recognition of the value of the experience possessed by the professional international administrators, their political flair, and their superior grasp or routine. Such seconding was not merely on the level mentioned above (interpreters, minute writers, and clerical staff). In some cases, prominent League officials were entrusted with the responsible post of secretary-general of non-League conferences. The top official in question was sometimes accompanied and supported by other international administrators of his choice, belonging to the First Division (Members of Section).

The Geneva international agencies did not discourage this practice as much as might have been expected. They felt that by lending some of their ablest administrators they impressed upon the countries the continued usefulness of the Geneva machinery, the quality of their technical and secretarial work, and their indispensable rôle in international life.

## 2. SECONDING FROM NATIONAL ADMINISTRATIONS

National officials were not as a rule loaned by the international agencies. If national officials were required on a short-term basis (up to a year or so) they were usually on leave without pay from their home governments. During their sojourn in Geneva they were granted ranks equivalent to Members of Section, and called Experts, or Specialists, especially in later years. As soon as these officials assumed their duties in the First Division their names were transmitted to the Political Department in Berne in order to assure them the diplomatic immunities and privileges granted to their more permanent colleagues on the Geneva staff. They were subject to Staff Regulations. As far as their office hours and working conditions were concerned they were treated exactly like the other officials of similar rank. Engaged in research activities of some sort or another, they were rarely burdened with administrative routine activities incumbent upon the permanent or semipermanent officials. In contrast to the practice governing permanent officials, these experts were in some cases allowed to sign their reports with their names, or their names were mentioned by the head of their service in an introductory note.

In 1936, it was decided to create a special service category of Temporary Collaborators "chosen from the national administrations of

different countries or from other suitable circles, nominated by the respective Governments."<sup>5</sup> They were to be appointed for a period of from six to twelve months and were expected to serve in the different sections of the Secretariat. The purpose was to increase in the different countries the number of people acquainted with the League's working technique from within and to create a reservoir from which future officials could be drawn either to serve at Geneva or as correspondents abroad.<sup>6</sup> Budgetary difficulties later blocked the fulfilment of this plan.

These temporary collaborators must not be confused with another group designated by the same term. For a number of years the Assembly voted credits in order to bring to Geneva during the sessions of the Assembly some twenty to fifty persons of various nationalities, including a fair percentage of women, in order to enable them to study the internal structure of the League. The selection was effected through the Information Section. The persons chosen were only in rare cases national officials. They were taken from a roster of persons whom the Secretariat desired to interest in Geneva activities. They belonged to different professions, but the majority of them were publicists, writers, and radio and film experts, social workers, and prominent members of League of Nations associations. Their remuneration was sufficient to cover their traveling expenses and some subsistence allowance. They were called to Geneva in order to enable them to follow later the work of the League with greater understanding. During their stay at Geneva they were attached to the Information Section, which provided them with documentary information and with passes to all but private or secret meetings, and brought them in touch with specialists in their respective fields. Special lectures were arranged to acquaint them with League activities. The term collaborator was really a misnomer as no administrative tasks were assigned to these visitors. Between 1926 and 1938, three hundred and forty Temporary Collaborators, from fifty-eight countries, spent several weeks at Geneva at the expense of the League.<sup>7</sup>

<sup>5</sup> *Second Report of the Supervisory Commission to the Assembly of 1936*, L.N. Document A.5(1).1936.X., p. 5.

<sup>6</sup> A fuller account of the various purposes which can be achieved by schemes enabling national officials to serve for short terms in the International Secretariat will be found in Evans, "The International Secretariat of the Future," *op. cit.*, p. 69.

<sup>7</sup> The type of employment known in the United States Federal Government and consisting in the appointment of Consultants paid on a per diem basis and limited, as a rule, to a few months, did not exist at Geneva. Even persons whose services were required for a short time only, were put on a "civil service" basis, and while the rules governing their public activities (publications, speech making of officials) were applied with greater leniency in their case, they had to submit to the rigor of the Staff Regulations in practically all other instances.

There existed within the international agencies a group of officials who were *de facto* seconded by their respective national administrations though they were undistinguishable in status from their colleagues in the First Division, officials on leave from their home administrations. They posed a serious problem for the administration. These League officials, especially those from Germany, Italy, and Japan applied for employment in the usual manner and were appointed members of the Secretariat, usually for a renewable period of seven years. They made the declaration of fidelity required of all permanent or semipermanent officials and became members of the Staff Provident Fund, later of the Pensions Fund. Officially, they were in exactly the same position as their colleagues who made the League or International Labor Office service their career. These officials remained on the staff lists of their national departments without the *official* knowledge of the Secretary-General or the Director of the International Labor Office or the *formal* acquiescence or concurrence of the League services. They were on indefinite leave of absence or, in the case of diplomats, *en disponibilité*. On relinquishing their League service they returned to their national departments, and the years spent in the League service were automatically added to their seniority privileges. Any promotion to which they would have been entitled in the meantime was, as a rule, effected immediately on their return to national service.

Toleration of this practice by the authorities was a constant source of danger to the League services. These officials fulfilled their League duties with one eye constantly on the pleasure of their governments, with the result that they never fully entered into the spirit of their international employment. Some serious consequences developed from this situation in the early thirties. The German member of the Political Section of the League Secretariat, for instance, was retained in the services of Wilhelmstrasse. Under the pressure of the German Government he received a rather high post in the administrative hierarchy of the League. But as he was not trusted to dispatch his international duties in a sufficiently detached spirit, certain highly confidential papers were kept from his knowledge and he was entrusted with tasks officially considered innocuous, such as the secretaryship on the Liberian Committee. A series of complaints, explanations, and counter-explanations ensued, which had a derogatory effect upon the morale of his Section and, beyond that, of the Secretariat as a whole.

While this veiled type of seconding an official was chiefly practised by the countries mentioned above, it was by no means restricted to them.

A number of Scandinavian diplomats, for instance, were "suspended" by their Foreign Office on being appointed to the League Secretariat and resumed their ranks, or were promoted on resigning from the Secretariat. But since the policies of these countries never clashed with the League's aims and policies the dual allegiance of such officials never became an element of confusion or even a problem.

The League experience suggests one conclusion: that any seconding which is actually being effected should be made in a clear and open fashion, in the interest of the agency as well as in the long-range interest of the individual officials themselves. Any official with moral fiber is bound to suffer from the dilemma in which he is put and is likely to lose not only the respect of his collaborators but also his own self-respect if developments over which he has no control lead to a clash of his loyalties. In the light of experience it is therefore proposed that the international agency solicit in future, from every appointee coming from a national service and accepting a permanent or semipermanent contract, a sworn affidavit or official proof to the effect that he has relinquished and liquidated his national appointment and civil service status. Should the administration of the future employ in the higher brackets, as is likely to be the case, temporary officials side by side with those for whom international service is a life career, a clear distinction should be established between these two types of officials: international officials properly speaking, and seconded officials enjoying all privileges and immunities but prevented *a priori* from holding certain jobs that require absolute independence from their own government. Such apportionment of tasks would prevent unpleasant incidents of the kind described above and ambiguous situations detrimental to the dispatch of the international tasks of the agency. Sir Arthur Salter, who favors such a double system in the light of his own past experience as a high official of the League, pointed out that "This may seem a complicated, unprecedented system; and the international officer imagined, a queer hermaphroditic creature." But, he added, "the problem, too, is complex and without precedent; and the new international officer . . . is something new in the world's history."<sup>8</sup>

<sup>8</sup> Salter, *The United States of Europe*, p. 136.

## CHAPTER XXVI

### AGE PYRAMID AND STABILITY

#### I. AGE DISTRIBUTION WITHIN THE SECRETARIAT

##### A. INITIAL MALADJUSTMENT

The age distribution within the Secretariat was faulty. This was unavoidable in the formative period. Like Pallas Athene who sprang in full armor from the head of Zeus, the Secretariat had to start its duties fully equipped. A certain maturity and balance of judgment was required of all members of the First Division, particularly in view of the fact that there were absolutely no precedents for most of the activities of the Secretariat. Lack of experience in international administration was inevitable. But it would have been too hazardous, particularly in the first and most delicate phase of the League's existence, to add to that inevitable lack of experience the risk of entrusting the work to men without any practical experience whatsoever. Older men, on the other hand, could not be particularly attracted by a service promising no continuity and security. Moreover, they would not have had the adaptability needed for tasks for which no previous experience was available. It was only natural therefore that most of the top officials were men in their forties, and that practically all other officials were in their thirties.

The initial maladjustment was never corrected for a number of reasons. First it was the growth, later the contraction, of the services that were primarily responsible. At the time the League began, services grew too quickly to enable the Secretary-General to groom promising young men and women for subsequent transfer to more responsible posts. Only people who had already shown ability and had achieved professional success of their own were a sufficiently safe risk. General conditions prevailing in the Europe of the interwar period were partly at least responsible for this state of affairs. As a rule young people in Europe had little opportunity to prove their mettle. Candidates who possessed the required qualifications and experience were therefore as a rule in their early or late thirties. Most of those who entered the Secretariat in the years 1922-35 were therefore only slightly younger than

the original members. In any case, they were not young enough to constitute the nucleus of a new age group. When the League began to contract, slowly at first and more rapidly later, the last hope of remedying the situation disappeared. New officials were given only temporary contracts.

If reasons beyond the power of the Secretaries-General were chiefly responsible for this development, a lack of awareness of the dangers inherent in this policy undoubtedly contributed to perpetuating the state of affairs.

#### B. FAILURE OF REDRESS

Regulations did little to redress the situation. The silence of the Provisional Statutes for the Staff of the International Secretariat on this point was eloquent. The definitive Staff Regulations, however, contained a paragraph relating to this subject:

Permanent officials of the First Division below the rank of Chief of Section will normally be appointed between the ages of 23 and 35 (inclusive) and permanent officials of the Second Division between the ages of 21 and 30 (inclusive); but the Secretary-General may fix different age-limits for appointment in particular cases.<sup>1</sup>

No age-limits were fixed for appointments in the Third Division. The stipulations are far less categorical than most of the others contained in the Staff Regulations. Moreover, as most appointees to the First Division were not given permanent contracts in later years,<sup>2</sup> even when it was intended to keep the official for a long time, the age-limit clause applied to an ever-decreasing percentage of officials.

It would perhaps be an exaggeration to say that this rule was "more honoured in the breach than the observance," but it is nevertheless true that these stipulations contributed little improvement. In actual practice these rules were chiefly enforced with respect to appointments of research assistants to the Economic Intelligence Service and similar cases. These officials, however, were specialists and were not usually considered for promotion and transfer to other services. That the situation was better in some specialized services resulted in little change in the over-all situation.

In 1938-39 the staff of the Secretariat was not actually old but it was overaged. A critical situation would have arisen around 1945, when

<sup>1</sup> L.N. Secretariat, *Staff Regulations*, Article 8, p. 10.

<sup>2</sup> See chapter on "Duration of Service, Advancement, and Security," *supra*, pp. 302-3.

many officials on reaching twenty-five years of service or the age of sixty would have retired. The retrenchment imposed upon the Secretariat by the crisis of 1940 saved the administration from the prospect of losing many officials around 1945 who could not have been replaced by younger ones from within the ranks of the Secretariat. The faulty age distribution threatened to continue indefinitely.

This experience teaches a clear lesson. The international administrative bodies of the future should plan deliberately to include on their staff persons of varying age groups so as to guarantee a normal curve of age distribution,<sup>3</sup> to maintain it by a conscious policy of recruiting from the lower rather than the top stratum of the statutory age-limit, and to adhere more strictly to the latter.

## 2. CONTINUITY OF SERVICE

The early development of an unexpected degree of homogeneity among League officials was greatly fostered by stability in the composition of the staff. Various reasons, not necessarily interrelated, accounted for this: Foremost among them were enthusiasm for the League ideal and the attraction of service in a new international diplomacy, as well as the level of salaries, and, after a few years, satisfactory tenure of office, provisions for old age, and favorable working conditions. The overwhelming majority of persons who entered the League service with the intention of remaining but a short time soon felt reluctant to leave even when materially more attractive professional openings offered themselves.<sup>4</sup> Numerous cases are on record of officials who intended to stay for only a year or two, yet were loath to give up their post twenty years later. This progressive identification of the officials with the Secretariat became one of the most potent factors of stability and cohesion.

An attempt will now be made to give concrete information on the degree of stability thus attained. It is intended, first, to ascertain to what extent the members of the early Secretariat still serve in 1930 and 1938 and, secondly, to calculate the average length of service of the officials employed during these years in the Secretariat. For reasons given in another chapter,<sup>5</sup> this survey will be restricted to the First Division. Although it is not claimed that the results of these probings

<sup>3</sup> *Proceedings of the Conference on Experience in International Administration, op. cit.*

<sup>4</sup> This did not apply, of course, to some of the German, Italian, and Japanese officials serving the League on "commanded service."

<sup>5</sup> See chapter on "National Structure," *infra*, pp. 354-55.

give a mathematically correct picture, they offer to the student of international administration data not heretofore available.

#### A. LENGTH OF SERVICE

The first set of data is based on the Staff List published in June, 1921, and not upon an earlier list, because it seemed useful to include officials who joined the League in the first months after its transfer to Geneva. In order to obtain an accurate picture, all persons have been included who occupied posts which were later incorporated in the First Division, or who served in 1921 in junior positions but were promoted later to posts in the First Division.<sup>6</sup> According to the 1921 Staff List, 86 persons belonged to this category. Of these, 50 persons were still in the service of the League in 1930, i.e., about 58 per cent; 32 in 1938, i.e., 37 per cent.

In order to evaluate properly the above figures it must be noted that a number of those who dropped out remained closely associated with the League by serving on the Permanent Court (as judges or in the Registry) or by serving on arbitral bodies stemming from administrative activities closely associated with the League. More than 10 per cent of those who had dropped out between 1921 and 1930 later held such positions. There were, in addition, those who returned to Geneva in subsequent years as delegates of their governments or as experts. The record is even more impressive if it is kept in mind that the first appointments were made in a somewhat haphazard fashion, that the League did not, at the beginning, offer long-term contracts, that it compelled the majority of its officials to expatriate themselves and to work under the novel conditions of a multinational administration, and that a small percentage was lost to the League by illness or premature death.

#### B. AVERAGE LENGTH OF SERVICE

In establishing the average tenure of office of persons serving in 1930 and 1938, a special difficulty is encountered. No official records are available and the author has had to rely chiefly on biographical sketches contained in the *Annuaire de la Société des Nations*<sup>7</sup> — an unofficial publication in spite of its official-sounding title. Unfortunately, the section

<sup>6</sup> The following categories of First Division Officials were not included: the Secretary-General; the Highest Officers because of their limited contracts; the military experts, for the same reason; and all persons listed as serving on "short-term contracts."

<sup>7</sup> 1920-1927, 1931, 1938 (Genève: Geneva Publishing Co., Editions de l'Annuaire de la Société des Nations, S.A., 1927, 1931, 1938), 3 vols.

of that handbook which contains data of this type is incomplete. An attempt has therefore been made to fill the gaps by reference to Staff Lists of the years 1920-38, in order to find out at what date the names of individual officials were first recorded. A fairly reliable record has thus been established.

From calculations based on available data it appears that the average length of service of members of the First Division was six years in 1930, and roughly thirteen years and five months in 1938.<sup>8</sup> In evaluating these figures all the factors mentioned above in connection with the length of service of the early officials must be taken into account. It must moreover be noted that the League had increased its membership between the years 1921-30 and that a special effort had been made to enlarge the original nationality composition of the Secretariat in order to make it more in keeping with the League membership. A number of officials belonging to the more favored countries were therefore dropped on termination of their contracts. As the First Division increased between 1921 and 1930 by more than 100 per cent, the period of service of the nationals of new member States was necessarily a short one. Considering that the Secretariat had been in existence only ten years in 1930 and eighteen in 1938, that the activities of the League increased at a more accelerated pace than is the case in a national administration, and that the Secretariat was experimenting with a multinational staff, these figures reflect a remarkable degree of stability which could not have been foreseen or expected. They compare very favorably with the service record in many an old established national service. In the ILO the situation was similar to that of the League Secretariat, perhaps even more favorable, as staff changes due to political developments or political pressure were rarer than in the Secretariat.

It will be difficult for any future international agency to emulate the record established by the League and probably impossible to surpass it. But unless an effort is made to match this record, neither a similarly strong *esprit de corps* nor a similar efficiency can be secured.

<sup>8</sup> It would have been interesting to add further data, especially the average of years of service for those still serving at present (1944). But the lack of accessible staff lists for recent years has prevented the inclusion of such additional figures. An estimate based on a fairly complete personal knowledge of those still serving suggests that the average is probably between twelve and fourteen years. That this average is not higher must be attributed to the fact that some of the old members entered national service after their countries had become involved in the war, and that others were dropped because of their high salaries or because their positions were abolished in 1940 at the time of the retrenchment of the staff. An additional element may be found in the fact that some had by 1939-40 reached an age enabling them to claim their full pension rights.

To the record shown in the above figures must be added another element of cohesion which was a by-product of the often criticized reluctance of the administration to shift officials within the administration. The vast majority of the officials of administrative grade remained in the same section, — some for almost twenty years, — often attached to the same committee and permanently entrusted with a comparatively small range of kindred questions. This not only served to foster the expert character of the work but also added to the stability of the whole administration.

This stability became in turn one of the major elements of the strength of the Secretariat and one of the sources of the confidence it enjoyed. The lesson should not be lost in future. Short-time contracts, frequent changes in personnel, seconding of national officials to the international agency, *ad hoc* engagement of highly competent experts, all have their advantages and immediate usefulness. Carried to the extreme, however, they are a disintegrating influence and dangerous for the agency. Recent experiences gained by one of the United Nations agencies suggest that a conscious effort should be made by the international organization to be established upon termination of World War II, to resist the temptation to appoint an overproportionate number of persons who from the outset are determined to serve only a short time — whatever their individual merits or momentary usefulness may be.

## CHAPTER XXVII

### NATIONAL STRUCTURE

#### I. ESTABLISHMENT OF A PRINCIPLE

The Covenant does not mention the national composition of the Secretariat. Little thought was given at Paris, during the drafting of the Covenant, to the staff aspect of the Secretariat. It was vaguely recognized that the members of the League would be represented by officials in the administration, but the authors of the Covenant seemed to assume that nationals of members of the Council would prevail.<sup>1</sup> Among the amendments to the Draft of the Covenant proposed by the neutral powers, one, originating from Spain, proposed that "So far as possible, the Secretariats and the personnel shall belong to different nationalities."<sup>2</sup> The skeleton staff assembled by the Secretary-General prior to the official beginning of the Secretariat's work was chiefly composed of English and French nationals but it reflected already the intention to assemble an internationally more varied staff. The principle that the various nationalities should be fairly represented among the staff, especially in the higher brackets, was officially laid down in the Balfour Report of May, 1920,<sup>3</sup> and was subsequently stressed with increased emphasis in the report on the staff and organization of the Secretariat submitted by Sir James Allen,<sup>4</sup> the Noblemaire Report of 1921,<sup>5</sup> and the Report of the Committee of Thirteen of 1930.<sup>6</sup> The same principle was embodied, *mutatis mutandis*, in Article 9 of the Statute of the Permanent Court of International Justice, which stated that persons appointed as members of the Court should not only possess the qualifications required "but the whole body also should represent the main forms of civilization and the principal legal systems of the world." If for "legal system" the word "nationality" is substituted, the Court formula is directly applicable to the League.

A fair nationality distribution in the International Secretariat was

<sup>1</sup> See chapter on "The Secretary-General," *supra*, pp. 42-43.

<sup>2</sup> Quoted by Miller, *My Diary at the Conference of Paris*, Vol. VII, Document 576, p. 89.

<sup>3</sup> *Op. cit.*, p. 137.

<sup>4</sup> L.N., *The Records of the First Assembly, Plenary Meetings* (Geneva, 1920), p. 671.

<sup>5</sup> *Op. cit.*, pp. 7-8.

<sup>6</sup> *Op. cit.*, p. 10.

considered desirable by the policy-determining bodies for two major reasons: on political grounds, as a means of making the international administration a true reflection of the members composing the organization, and on sociological grounds, as a means of securing the "definite qualities of its own" which every country possesses.<sup>7</sup> The League administration recognized the justification for a fair representation of nationalities, but it was always reluctant to use the term "national representation," which was put in quotation marks whenever its use could not altogether be avoided. The administration insisted that the League official (while retaining his nationality) was not a national representative, the problem being one of nationality distribution and national composition rather than national representation. The desire of member States to see one of their nationals on the staff was comprehensible enough, but the notion had to be dispelled that a member was *entitled* to any proportion of the staff appointments or, for that matter, to any post whatsoever in the International Secretariat.

In their majority governments were reticent about interfering with internal and staff matters. This was particularly true of Britain and some of the smaller European and Asiatic countries; others showed less restraint, or were less aware of the fact that a principle was involved. In answer to a circular letter addressed to the member States by the Secretary-General on July 7, 1936, requesting them to send their suggestions for the improved application of the principles of the Covenant, a number of States submitted proposals touching upon questions pertaining to Article VI of the Covenant. The Peruvian Government considered it "necessary to introduce into the organisation of the League Secretariat the principle of the proportional representation of continental groups, so that there shall no longer be in practice a monopoly of certain appointments for nationals of European Powers." The Government of Ecuador expressed the desire for a larger representation of Latin American in the Secretariat.<sup>8</sup>

Apart from such legitimate attempts at influencing the internal composition of the Secretariat through the instrumentality of the policy-shaping organs, direct pressure was exerted upon the Secretaries-General, at times accompanied by threats of political sanctions. Both resisted as much as seemed feasible, the first Secretary-General more bravely than his successor. But resistance beyond a certain point, much

<sup>7</sup> New Committee of Thirteen, *Report and Minutes of the Committee*, p. 11.

<sup>8</sup> O.J., Special Supplement No. 154, pp. 26, 97; see also S. Engel, *League Reform; An Analysis of Official Proposals and Discussions, 1936-1939*, Geneva Studies, Vol. XI, Nos. 3-4, 1940 [Geneva: Geneva Research Centre, 1940], pp. 253-54.

as it may have been justified on administrative grounds, often was politically inopportune.

One extreme solution would have been to aim at a sort of mathematical proportion in composing the staff, the other extreme, to recruit the staff exclusively according to the qualifications of the candidates regardless of the consequences for the national composition of the Secretariat as a whole. Either procedure would have proved fatal. A middle course recommended itself, aimed at making the Secretariat as representative as possible while safeguarding the Secretary-General's prerogative to consider professional qualifications as the overriding factor when making appointments. This eliminated, as far as was feasible, the excuse for pressure on the part of individual governments or a general dissatisfaction with the national composition of the Secretariat. It also safeguarded the high efficiency of the administration.

All through the active period of the Secretariat both Secretaries-General strove to incorporate as many nationalities as possible into the Secretariat with due regard to the relative importance of the member States, without, however, attempting to make the representation of the different States proportional. Step by step the preponderance of certain countries was eliminated. This was effected by (a) reducing or even discontinuing recruitment for vacancies in certain countries — English and French citizens were, for instance, excluded from most of the new posts created in later years; (b) appointing nationals of countries not yet "represented" in the Secretariat — five nationals of member States heretofore not included in the Secretariat were, for example, appointed in 1924-25.<sup>9</sup>

## 2. LEAGUE CONTRIBUTIONS AND REPARTITION OF NATIONALITIES

Officially there was no link of cause and effect between a country's contribution to the League budget and the number of officials from that country employed by the Secretariat, but there was a certain parallelism between the two factors. The League contribution of members was based on a composite index taking into account economic strength, foreign trade, population, and other factors indicative of a country's importance. It was the importance of a country also that determined, in the last analysis, the number of appointments from that country. But certain factors of no influence in the apportionment of the con-

<sup>9</sup> General Report on financial questions adopted by the Sixth Assembly, September 26, 1925, *Records of the Sixth Assembly, Text of the Debates* (Geneva, 1925); O.J., Special Supplement No. 33, p. 425.

tribution to the League weighed in the sphere of personnel policies in favor of or against a country. Some countries with an old and honorable civil service were able to provide a greater number of all-round qualified candidates than countries without such traditions. Austria may serve as an example. She contributed only three quarters of one per cent to the League budget, but according to the Staff List of 1937 three per cent of the entire First Division were Austrians. Other countries, like England and France, were favored by reason of the fact that the two official languages of the League were English and French; it was therefore only natural that the translators, interpreters, and précis-writers, as well as the majority of the subordinate personnel, were English or French. In the case of France this led to the paradoxical consequence that the salaries paid to French officials in 1936 were nearly a million Swiss francs more than France's contribution to the League in that year.<sup>10</sup>

Representatives of governments often based their claims for a "better representation in the Secretariat" in their talks with the Secretary-General or in the meetings of the Fourth (Budget) Committee of the Assembly, on the share of their contribution to the League budget. Indian delegates, for example, reminded the Fourth Committee frequently of the disproportion between India's material and moral contribution to the League and the number of Indian officials, as well as functions assigned to them, in the Secretariat. True to the basic concept governing its policies, the Administration discouraged all such discussions. It insisted that all efforts were exerted toward making the Secretariat as representative of the membership as possible but that no right to a percentage of the staff could be admitted. As a matter of fact, the national composition of the Secretariat assumed from year to year a closer relationship to the amount of the States' annual contributions to the League.<sup>11</sup>

### 3. NATIONALITY DISTRIBUTION

In order to obtain a correct and unprejudiced picture of nationality distribution within the Secretariat it is in the first place necessary to distinguish between different staff categories. A mechanical adding up of the numbers of nationals of the different countries without a qualita-

<sup>10</sup> L.N., *Records of the Sixteenth Ordinary Session of the Assembly, Meetings of the Committees, Minutes of the Fourth Committee (Financial Questions)*, Geneva, 1935; O.J., Special Supplement No. 141, p. 41.

<sup>11</sup> *Proceedings of the Exploratory Conference on the Experience of the League of Nations Secretariat*, op. cit.

tive distinction of their functions would be not only valueless but wholly misleading. It would result in the absurd conclusion that the Secretariat was dominated by the Swiss, since persons of that nationality locally recruited at Geneva prevailed in the Second and Third Divisions. According to a calculation made by Miss Helen Moats<sup>12</sup> there were, in 1935, in the entire Secretariat (excluding the Third Division) 153 Swiss as against a total personnel of 548 (exclusive of the Third Division), i.e., 28 per cent. If the Third Division were included the percentage would be roughly 31.5 per cent.

The importance of the nationality factor in an administration of the type of the League Secretariat decreases as one descends the staff pyramid from the principal officers to the members of the Third Division. Moreover, nationality within the First Division was of greater significance in the case of officials charged with political tasks or press relations than in that of officials of the same rank charged with technical, i.e., non-political functions.

In a report on questions relating to the organization of the Secretariat of the League of Nations submitted to the Committee of Thirteen, the Secretary-General stated that—

It is, above all, in the First Division that the maintenance of a strictly international character for the Secretariat is a matter of capital importance. As regards the Second Division, although it is desirable to take account of the problem of nationality, the existence of two official languages inevitably leads to a certain preponderance of those nationalities whose mother-tongue is English or French (this is also true of the translators and précis-writers included in the First Division). Again, as the balance of nationalities is a question of lesser importance in the case of this grade of official, the latter can to some extent be recruited locally. . . . In the Third Division, the question of nationality does not arise. . . .<sup>13</sup>

Considerations of nationality thus played a very minor rôle in the Second Division and none at all in the Third. The secretarial and routine duties of the Second Division and the purely or chiefly manual work of the Third did not give to the composition of these staffs any political significance.

The following table shows how the repartition of posts in the First Division developed between 1920 and 1938.<sup>14</sup>

<sup>12</sup> *Op. cit.*

<sup>13</sup> Committee of Thirteen, *Report*, p. 35.

<sup>14</sup> Including principal officers, experts, specialists, and other officials "assimilated" to the First Division. The following sources have been used in the establishment of these tables: *Permanent Staff List of the Secretariat*, L.N. Document 20/48/264; staff lists in October issues of O.J., 1930, and 1938. The tables include all States which at one time or other belonged to the League, irrespective of whether or not they were members of the League in any or all of the three selected years.

COUNTRY <sup>1</sup>	YEAR OF ADMISSION TO LEAGUE OF NATIONS <sup>2</sup>	NUMBER OF OFFICIALS		
		1920	1930	1938
1. Afghanistan . . . . .	1934	.....	.....	.....
2. Union of South Africa . . . . .	1920	.....	1	1
3. Albania . . . . .	1920 (1941)	.....	.....	1
4. Argentine Republic . . . . .	1920	.....	.....	1 <sup>3</sup>
5. Australia . . . . .	1920	.....	2	3
6. Austria . . . . .	1920 (1938)	.....	1	4 <sup>4</sup>
7. Belgium . . . . .	1920	1	4	5
8. Bolivia . . . . .	1920	.....	.....	.....
9. Brazil . . . . .	1920 (1928)	.....	N.M.	N.M. <sup>5</sup>
10. Bulgaria . . . . .	1920	.....	1	1
11. United Kingdom of Great Britain and Northern Ireland	1920	23 <sup>6</sup>	39 <sup>6</sup>	34 <sup>7</sup>
12. Canada . . . . .	1920	3	3	3
13. Chile . . . . .	1920 (1940)	.....	1	1
14. China . . . . .	1920	.....	2	2
15. Colombia . . . . .	1920	.....	1	1
16. Costa Rica . . . . .	1924 (1927)	N.M.	N.M.	N.M.
17. Cuba . . . . .	1920	.....	1	.....
18. Czechoslovakia . . . . .	1920	1	4	4
19. Denmark . . . . .	1920 (1941) <sup>8</sup>	1	3	2
20. Dominican Republic . . . . .	1924	N.M.	.....	.....
21. Ecuador . . . . .	1934	N.M.	N.M.	.....
22. Egypt . . . . .	1937	N.M.	N.M.	.....
23. Estonia . . . . .	1921	.....	.....	1
24. Ethiopia . . . . .	1923	N.M.	.....	.....
25. Finland . . . . .	1920 (1943)	.....	2	1
26. France . . . . .	1920 (1941) <sup>8</sup>	14	32 <sup>9</sup>	25 <sup>10</sup>
27. Germany . . . . .	1926 (1935)	N.M.	10 <sup>9</sup>	4 (N.M.)
28. Greece . . . . .	1920	1	2	2
29. Guatemala . . . . .	1920 (1938)	.....	.....	N.M.
30. Haiti . . . . .	1920	.....	.....	.....
31. Honduras . . . . .	1920 (1938)	.....	.....	N.M.
32. Hungary . . . . .	1922 (1941)	N.M.	2	3
33. India . . . . .	1920	.....	3	3
34. Iran (Persia) . . . . .	1920	.....	1	1
35. Iraq . . . . .	1932	N.M.	N.M.	.....
36. Ireland (Eire) . . . . .	1923	N.M.	2	3 <sup>11</sup>
37. Italy . . . . .	1920 (1939)	7	12 <sup>12</sup>	1 <sup>13</sup>
38. Japan . . . . .	1920 (1935)	2	3 <sup>12</sup>	2 (N.M.)
39. Latvia . . . . .	1921	N.M.	.....	.....
40. Liberia . . . . .	1920	.....	.....	.....
41. Lithuania . . . . .	1921	N.M.	1	1

<sup>1</sup> The names of the countries are listed in the French alphabetical order in accordance with the practice of the League.

<sup>2</sup> The figures in parenthesis indicate the year in which the country ceased to be a member.

<sup>3</sup> Under Secretary-General.

<sup>4</sup> Austria having been annexed by Germany in March, 1938, these officials appeared in the staff list either as German (ex-Austrian) or as "Former Austrian — situation not defined."

<sup>5</sup> N.M. = Non-Member.

<sup>6</sup> Including the Secretary-General.

<sup>7</sup> Including the Under Secretary-General.

<sup>8</sup> Validity of withdrawal doubtful in view of the circumstances under which the decision was taken.

<sup>9</sup> Including Deputy Secretary-General.

<sup>10</sup> Including Secretary-General.

<sup>11</sup> Including the Deputy Secretary-General.

<sup>12</sup> Including the Under Secretary-General.

<sup>13</sup> Under notice of withdrawal since December 11, 1937.

COUNTRY <sup>1</sup>	YEAR OF ADMISSION TO LEAGUE OF NATIONS <sup>1</sup>	NUMBER OF OFFICIALS		
		1920	1930	1938
42. Luxemburg.....	1920	.....	.....	1
43. Mexico.....	1931	N.M.	N.M.	1
44. Netherlands.....	1920	4	7	5
45. New Zealand.....	1920	.....	3	2
46. Nicaragua.....	1920 (1938)	.....	.....	N.M.
47. Norway.....	1920	4	1	2
48. Panama.....	1920	.....	1	.....
49. Peru.....	1920 (1941)	.....	.....	.....
50. Poland.....	1920	1	5	8
51. Portugal.....	1920	.....	1	1
52. Rumania.....	1920 (1942)	.....	2	2
53. El Salvador.....	1920	.....	.....	.....
54. Siam (Thailand).....	1920	.....	1	1
55. Spain.....	1920 (1941)	1	3	3
56. Sweden.....	1920	1	3	7
57. Switzerland.....	1920	4	9	8
58. Turkey.....	1932	N.M.	N.M.	1

No data are available pertaining to the staff composition of the Secretariat since 1940. It is noteworthy, however, that the Acting Secretary-General, in his reports issued since 1940, mentions the difficulties encountered in maintaining the international character of the Secretariat. An estimate based on unofficial information suggests that the proportion of nationalities in 1943-44 resembled somewhat the position in 1920. In September, 1943, the League membership still consisted of forty-five States, twenty-four of which had been drawn into the conflict. About twenty nationalities are represented in the Secretariat, foremost among them the British and French.<sup>14a</sup> The temporary personnel includes a number of Americans, especially among the staff of the Princeton Mission.

An attempt to digest the information contained in the above table sheds interesting light upon the evolution in the national composition of the Secretariat. This evolution is clearly twofold: (a) a progressive appointment to the Secretariat of nationals of member States not previously represented; (b) an increase in the proportion of nationals of countries considered underrepresented by the administration.

The following table reflects the approximation of nationalities represented in the League Secretariat and League membership at different periods.

<sup>14a</sup> Winter, 1944-45.

Year	Number of Nationalities	League Membership
1920.....	15	38
1930.....	38	56
1938.....	43	54

If officials belonging to non-member States are added, the number of nationalities for the years 1920, 1930, and 1938 is 16, 40, and 46, respectively. The staff of the Secretariat thus became more and more representative of the membership. Whereas nearly two thirds of the member States were not represented in the higher brackets of the Secretariat in 1920, only about one fourth of the member States had no representation in the First Division in 1938.

The preponderance of Britain, France, and Italy was slowly whittled down in favor of a more equitable representation of other nations. A comparison between the situation as it existed in 1920, 1930, and 1938 proves that Britain and France held between them about half of all the posts in the higher brackets in 1920, and a third of these posts in 1938.<sup>15</sup> Apart from a general trend, this reflected the tendency to break the monopoly of the permanent members of the Council.<sup>16</sup> Though the evolution was unmistakable and the effort successful up to a point, the position remained still unsatisfactory in 1938.

#### A. EUROPEAN PREDOMINANCE

A scrutiny of the above list from the point of view of representation of regions, so much stressed in the Statute of the Permanent Court, proves that the composition of the Secretariat between the years 1920 and 1940 was overwhelmingly European, and that too little was done to correct this state of affairs. The proportion of European to non-European officials was 7:1 in 1920 and about 5:1 in 1930 and 1938. Within the group of European officials a shift away from the predominance of Britain, France, and Italy occurred. While the number of members of the First Division remained nearly stationary between 1930 and 1938, the number of British and French officials decreased by about 15 per cent. The number of officials coming from Balkan countries (Bulgaria, Greece, Rumania, and Yugoslavia) trebled; Poland, which

<sup>15</sup> In evaluating the meaning of these figures it must be taken into consideration that nearly half of the British and French members of the First Division were translators, interpreters, and *précis*-writers, i.e., their posts were without any political significance whatsoever. If these officials were omitted from the calculation, the progressive reduction of the British-French predominance would be shown even more markedly in these figures.

<sup>16</sup> See chapter on "The High Directorate," *supra*, pp. 61-69.

had one member in 1920, had eight in 1938. Most significant was perhaps the shift in favor of the Scandinavian group of countries (Denmark, Finland, Norway, and Sweden), which had four officials in 1920, nine in 1930, and twelve in 1938. This increase indicated not only a shift from the original inter-Allied bias but, even more, a recognition of the fact that Scandinavian officials were particularly competent, unbiased, and trustworthy. Their all-round adaptability and usefulness was considered greater than that of the average official.

#### B. NEGLECT OF THE EAST

The whole Near (or in the British terminology Middle) East was particularly neglected. In 1930 this entire region was represented by one Persian Member of Section. After Turkey's entry into the League a Turkish citizen was added. In 1938 four countries belonging to this part of the world were League members — Egypt, Iraq, Iran, and Turkey. Thus a whole civilization comprising millions of people supplied about one per cent of the staff of the First Division. True, from a material point of view this region did not contribute much to the maintenance of the League. Together it supplied about four per cent of the League's budget in 1938. But as the League authorities always denied the existence of any causal nexus between financial contribution and representation on the staff of the Secretariat, the absence of officials from Iraq and Egypt cannot be justified on the grounds of their small contributions to the League budget. An explanation may be found in the passive rôle of these countries at that time, in the alleged dearth of suitable candidates from these regions, and, more important, in a not very wise but general underestimation of the political importance of the Near East prevailing in most chanceries of the world.

India's position in the Secretariat merits special attention. Her material contribution to the League's budget was considerable, roughly one million Swiss francs — nearly as large as Italy's. The League afforded India a place in the international scene as an equal among equals. Her growing importance was denied by no one. Nevertheless, in 1938 only three officials in the First Division came from India, plus one official of the Second Division who was entrusted with a semipolitical function. An additional small number of Indians were employed by the League as correspondents and in connection with the Bombay office. The balance was distinctly unfavorable to India, and must be considered even more so if the official functions of these Indians are taken

into consideration.<sup>17</sup> Here, too, recruiting difficulties played a major rôle.<sup>18</sup>

As regards other parts of what is commonly and rather misleadingly called the Far East, represented in the Secretariat by China, Japan, and Thailand, the situation was not more satisfactory though the staff problem assumed a different character in consequence of the full sovereignty enjoyed by these countries. Altogether they held six posts in 1930 and in 1938. Only Japan's position was fairly adequate. From the beginning Japan furnished an Under Secretary-General, and this high Japanese official was for many years in charge of the important Political Section. This preferential treatment of Japan was due to the fact that it alone among the countries of Asia was a permanent member of the Council. A country-continent like China was shockingly underrepresented. It never held more than three posts at any given time. Taken as a whole, the number of officials from these countries corresponded neither to the political, cultural, or economic importance of these regions nor to the size of their populations, nor even to the material contributions these countries made or were supposed to make <sup>19</sup> to the League budget. China, Japan, Thailand — the Far Eastern members of the League — accounted for about 12 per cent of the total budget in 1930 or, more specifically, for 115 of the 986 units into which the budget of 1930 was subdivided. Nor was the situation more satisfactory from the point of view of the positions accorded to the handful of Asiatics in the Secretariat. Qualitatively they were unequal, some supremely competent, others less so.

#### C. UNDERREPRESENTATION OF LATIN AMERICA

The situation with respect to Latin America was hardly more satisfactory. Not less than seven countries had left the League or signified their intention of withdrawal by 1940. Mexico only joined the League in 1931, and Argentina, which was one of the original members, had for nearly fifteen years abstained from any active collaboration. In 1930, fifteen, in 1938, twelve, Latin American countries belonged to the League. They were represented by six officials in the First Division, whose distribution in the Secretariat in 1938 was as follows: one Under

<sup>17</sup> Of these Indians serving in the First Division, two were employed with temporary contracts in the Political and Minorities Questions Sections, and one as specialist in the Economic Intelligence Service.

<sup>18</sup> See chapter on "Recruitment of International Personnel," *supra*, pp. 337-38.

<sup>19</sup> China defaulted for many years on its League contributions.

Secretary-General (Argentina); one Counselor (Uruguay); one Member of Section or official of equivalent rank from each of the following countries — Chile, Colombia, Mexico, Venezuela.

In the same year the Latin American countries were allotted 8 per cent of the League's budget. A number of them defaulted in their payments, which did not improve the relationship which existed between the Secretariat and the majority of the countries situated in Central and South America.

Numerically and from the point of view of the importance of their functions Latin American officials carried too little weight. This was regretted inside the administration no less than outside. The reason may be due in some degree to the rather inactive part played by Latin American countries in the work of the League — with the notable exception of Mexico and, at times, Chile — also to the not too happy choice of some of the collaborators coming from these countries. In order to improve relations, correspondents were appointed by the administration to a number of Latin American countries.<sup>20</sup> This measure proved insufficient to remedy a situation which remained unsatisfactory to the end.

#### 4. OFFICIALS FROM NON-MEMBER STATES

Although a number of states, members of the League, were not represented in the Secretariat there was, on the other hand, not a single moment in the Secretariat's history when it did not employ nationals of non-member States. Of the 152 officials of the First Division working in the Secretariat in 1938 (October), sixteen were nationals of non-member States or of countries which already had left the League or had served notice of withdrawal.<sup>21</sup> Despite the fact that in the last-named cases the countries in question were legally still members, these countries usually ceased political and in many cases also technical cooperation. Citizens of such states are therefore included among nationals of non-member States in the above count.<sup>22</sup>

The practice of including citizens of non-member States among the international staff originated at the very beginning. Between May,

<sup>20</sup> See chapter on "External Relations," *supra*, pp. 187-90.

<sup>21</sup> There were, in addition, not less than twenty officials or employees in the Second and Third Divisions belonging to the same category.

<sup>22</sup> On January 1, 1938, the following countries had left the League: Brazil, Costa Rica, Germany, Japan, Paraguay (in the order of their withdrawal). The following countries had given notice of their intention to withdraw: Guatemala, Honduras, Italy, Nicaragua, El Salvador (in the order of their notifications).

1919, and the spring of 1920 a number of Americans were appointed for service in the Secretariat and some had already assumed their duties when it became evident that the United States would not become a member. Some Americans, like Mr. Raymond Fosdick who had been appointed Under Secretary-General and Mr. G. L. Beer who had been appointed head of the Mandatory Section, as it was called then, resigned, but others remained in the service of the League. Since then the League has never been without American officials. One of them held the rank of a director for many years. Even the restricted staff of the Secretariat included after 1940 an American expert among its higher officials at the Geneva headquarters.

According to a list drawn up in 1930 by the League of Nations Association of the United States,<sup>23</sup> thirty-four Americans had served or were serving at that time in the League Secretariat, some of them, it is true, for short periods of service. On the other hand, other Americans served for many years. Mr. Arthur Sweetser, for instance, served in various capacities from September 14, 1919, to May 14, 1942, a tenure equalled in length by very few League officials.

After 1930, the turnover of American officials decreased. Fewer changes occurred. Replacements were made more haltingly. By May, 1940, the number of Americans who were serving or had served on the Secretariat had only risen to thirty-eight. At the time of the establishment of the list by the League of Nations Union six citizens of the United States (including one woman with the rank of Assistant Librarian) were employed simultaneously in the Secretariat, all belonging to the First Division. In 1940, four citizens of the United States served at the Geneva headquarters of the League.

The case of the American officials was exceptional insofar as they belonged to a country which had never been a member of the League. In all the other cases the officials either preceded the entry of their country into the League or remained in the Secretariat after their country had withdrawn. A German public health specialist, for instance, joined the League Health Section in 1925, one year prior to Germany's entry into the League and stayed many years after its departure.<sup>24</sup>

When Germany left the League in the autumn of 1933 strong pressure was exercised by the German Government upon most of the Ger-

<sup>23</sup> *American Co-operation with the League of Nations*, Geneva Special Studies, Vol. I, No. 4, 1930 (Geneva: League of Nations Association of the U. S., 1930), p. 26.

<sup>24</sup> Curiously enough the Member of Section in question was the only German official of the League in the First Division who was offered a permanent contract, apart from the German head of the Publication Department. All the others joined on the basis of seven-year renewable contracts.

man officials serving in political or semipolitical capacities to resign "voluntarily." Most of them were offered posts in the ministries in which they had served previously, and in some cases attractive posts were created for them in order to entice them to return to Germany. Of the twelve German members of the First Division serving in 1933, about half departed almost immediately.<sup>25</sup> A similar situation arose when Italy left the League, with the difference that the proportion of those who remained after the withdrawal of their fatherland was considerably smaller.

In the case of Japan, one Japanese Member of Section who had been in the Secretariat since January, 1920, remained with the connivance of Tokyo and the consent of the Secretary-General. Both parties apparently deemed it desirable to keep an observer and an element of possible liaison within the Secretariat.

When Soviet Russia was expelled from the League in 1939 the only Russian official, an Under Secretary-General, resigned immediately and there were no more citizens of Soviet Russia in the Secretariat.

The mounting wave of totalitarianism and authoritarianism had another consequence upon the nationality distribution in the Secretariat. Some members of the staff with liberal views lost their nationality officially or for all practical purposes. In the latter case they figured in the Staff List under their old nationality. In the first case considerable complications arose which may be illustrated by one concrete instance. Germany annexed Austria in 1938. The former Austrian officials figured in the Staff List of that year under two different headings. Two who had accepted German passports were listed as German, ex-Austrian; two who had refused German passports or had been deprived of their nationality by the Third Reich were listed as "Former Austrian — situation not defined," in 1938; as stateless, in 1939. One member of the First Division, of Russian origin, was listed as "P.N.," these letters indicating that he was the bearer of a Nansen Passport.<sup>26</sup>

A paradoxical consequence of the presence of citizens of non-member States was that the Secretariat at all times came nearer to reaching universality than the League itself. This afforded the Secretariat possibilities of non-official or semiofficial contacts and liaison which it would have been more difficult to establish otherwise. Moreover, it put at the disposal of the Secretariat men and women whose knowledge was

<sup>25</sup> Among those who remained, one or two stayed with the connivance of Berlin, as their subsequent attitude proved.

<sup>26</sup> There existed from the early twenties onward a sprinkling of officials in the Second Division who were Russian refugees and for all practical purposes stateless. They figured in the nationality designation of the Secretariat with the letters N.P.

profitable to the work as a whole in consequence of their ability to interpret and sift information and data referring to their countries of origin. In the case of the United States the advantages of this system were evident, as American authorities never tried to utilize their co-nationals in the Secretariat for specific national ends. As for officials who remained because of their opposition to the anti-League policy of their countries, their attitude was justifiable on personal grounds, their retention by the Secretary-General an act of administrative fair-mindedness, and their continued presence, up to a point, useful to the Secretariat. In the case of sympathizers with the totalitarian policies of their countries, however, any advantages accruing from this practice were balanced by the fact that the Secretariat offered the prestige of its membership, diplomatic immunities, and considerable salaries to "enemies within" unable or unwilling to foster the aims of the League but perhaps only too willing to serve as informers. The practice, beneficial to the League as a whole, had its drawbacks.

In conclusion it can be stated that any international secretariat of the future fulfilling exclusively or partially political functions will have to be more representative of the different nationalities, cultures, and regions than was the League Secretariat. In particular, it must give members from the East more strategically important positions and provide quantitatively and qualitatively more attractive positions for Latin Americans. In doing so, it must make a special effort to recruit, especially from the East, persons representative of their civilization and culture. Membership of the United States will automatically redress the underrepresentation of the North American Continent which was unavoidable in the past because of America's absence from Geneva.

## CHAPTER XXVIII

### EQUALITY OF THE SEXES

#### I. OFFICIAL RECOGNITION

One of the most striking departures from past traditions may be found in the stipulation contained in Article VII of the League Covenant stating that "All positions under or in connection with the League, including the Secretariat, shall be open equally to men and women." Article 9 of the Staff Regulations specifically reiterates this stipulation.

The status of equality of men and women in League service reflects the change which World War I had brought about in the position of women in the western world. The shortage of men at home had broken down age-old prejudices and traditions. Women had served with distinction in high executive and administrative posts, and it seemed only natural to make provisions in the foundation charter of the new peace machinery for the integration of women on an equal footing with men. The general atmosphere of the months immediately following the armistice was auspicious for such a break with past traditions. In most of the European countries universal suffrage was, at that time, extended to women, and the first feminine members of Parliament made their appearance in the continental European legislatures, with France remaining the most outstanding exception. In view of the fact that in spite of these developments very few women occupied key positions in national administrations, and that, for instance, the diplomatic service of Great Britain was still closed to persons of the feminine sex, the progress indicated by the formal proclamation of the equality of the sexes in the League administration was considerable.

Not much has been recorded regarding the immediate antecedents of the stipulation contained in the Covenant. It is usually assumed that the insertion of this provision was due to the pleadings of a joint feminist deputation to the League of Nations Committee of the Peace Conference in April, 1919. A perusal of the documents reproduced by David Hunter Miller proves, however, that, on March 26, 1919, "Lord Robert Cecil moved his amendment that women should be eligible for the personnel of the League," which, according to the report, "was agreed to."<sup>1</sup>

<sup>1</sup> Miller, *My Diary at the Conference of Paris*, Vol. VII, Document 612, p. 184.

The question had therefore already been settled in principle before the feminist pressure groups caught President Wilson's ear.

A curious sidelight is thrown on these early discussions by Colonel Stephen Bonsal. In a diary entry dated March 27, 1919, i.e., immediately after the meeting in question, he recorded: "Someone complained that this might result in a woman becoming the Secretary General, but it was pretty generally agreed that this danger was not imminent. However, the woman question was on the carpet. . . . It seems to have been provoked by the arrival of a delegation of American women who have been knocking at the President's door for the past few days."<sup>2</sup>

Lord Robert Cecil's amendment had spoken of "League personnel" without defining the exact meaning of this term. The vagueness of his wording was probably intentional, in order to make room for the widest possible interpretation once the principle had been established.

Feminist groups played a decisive part in the next stage. A joint deputation of the International Council of Women and the Conference of Women Suffragists of the Allied Countries and the United States was accorded the privilege of being the only delegation received by the League of Nations' Commission on April 10, 1919. The petition of this deputation urged, *inter alia*:

That women be equally eligible with men to the Body of Delegates, the Executive Council and the Permanent Secretariat and should be appointed to all the permanent Commissions on the same terms as men.<sup>3</sup>

This step is important inasmuch as equal eligibility for women in all the activities of the League was squarely demanded by the representatives of both women's groups. The Covenant finally put the seal on this demand.

The Noblemaire Report of 1921 stated that —

the Committee recognises the justice of the rule laid down in the Covenant that all positions under or in connection with the League shall be open equally to men and women.<sup>4</sup>

Surveying the position after ten years, the Committee of Thirteen in its Report stated that —

Although Article 7 of the Covenant lays down that both sexes have equal rights, the Committee has found that in the higher grades of the Secretariat there are at present very few women. This state of affairs, due to the rarity of the required qualifications in women candidates, has received the attention of the

<sup>2</sup> Stephen Bonsal, *Unfinished Business*; Introduction by Hugh Gibson (Garden City, New York: Doubleday, Doran and Company, Inc., 1944), p. 163.

<sup>3</sup> Kluyver, *op. cit.*, pp. 317-18.

<sup>4</sup> *Op. cit.*, p. 15.

Committee, which recommends that as far as possible the Secretary-General shall continue, when recruiting staff, to adhere strictly to this provision of the Covenant.<sup>5</sup>

The question was aired again and again in the Fourth Committee of the Assembly and, in 1931, in the Third Committee on the occasion of a debate on the general question of the rôle of women in the League. In a resolution adopted in 1932 the Assembly reminded the member States and the Secretary-General of the possibility envisaged in Article VII of including "competent women in the higher posts of the Secretariat."<sup>6</sup>

We are here concerned not with the broader aspect of the rôle of women in the League's activities as a whole but exclusively with their employment in the Secretariat. Generally speaking, women encountered probably fewer obstacles and prejudices within the League administration than in any other public administration, not excluding the British civil service.

In the first decade of the League, more than a dozen women held positions of administrative rank in the Secretariat, foremost among them Dame Rachel Crowdy who was the only woman ever charged with full responsibility for a section. Dame Crowdy joined the League Secretariat in 1919, after a distinguished wartime service in Britain; appointed Chief of the Social Section in 1919, she later became Chief of the combined Opium Traffic and Social Questions Section, a post which she left in 1931. Another British woman, Miss Nancy Williams, was for many years *de facto* chief of the personnel office while officially retaining the rank of Member of Section.

## 2. DIFFICULTIES OF IMPLEMENTATION

Circumstances and developments outside the League were not particularly favorable to the advancement or even maintenance of women in administrative positions in the years that followed. It soon became evident that the position which women had reached in many countries in 1918-19 was not a starting point for new progress but was to remain for a long time to come the peak of the development. No progress was made in France. In Germany, at that time still a democracy, women found it increasingly difficult to maintain themselves in the posts which they had reached under the impulse of the revolution of 1918.

<sup>5</sup> *Op. cit.*, p. 17.

<sup>6</sup> L.N., *Resolutions and Recommendations Adopted by the Assembly during Its Thirteenth Ordinary Session (September 26th to October 17th, 1932)*, Geneva, 1932; O.J., Special Supplement, No. 103, p. 30.

The first difficulty that faced the recruiting agency was that of finding fully qualified candidates of the feminine sex. In the case of men, the Secretary-General could always draw from a roster of candidates who not only met the educational requirements of the First Division but who also had had some kind of experience on a comparable administrative level. The situation was different in the case of women candidates with the exception of those from the English-speaking and Scandinavian countries. There were a great many women, practically everywhere, who fulfilled the *educational* requirements for recruitment in the First Division. Academic studies had been opened to women in nearly all countries since the beginning of the twentieth century, but it was a rarer thing to find women who had subsequently held positions commensurate with their training and who had developed qualities of leadership in higher administrative or executive jobs. Even in English-speaking and Scandinavian countries administrative positions had been made available to women for a comparatively short time only, and these women were naturally reluctant to abandon promising careers at home.

To the geographical and national limitations mentioned above another difficulty was added in the late twenties and at the beginning of the thirties. Democracy declined throughout the European Continent, except in the western part. A first consequence of the disappearance of democratic governments was invariably the progressive disappearance of women in administrative positions, and with this, the disappearance of the cadres which could supply the international Secretariat with fully qualified women candidates. To find women with higher administrative experience became increasingly difficult. Moreover, the women who possessed the required qualifications for League service were often the very persons who had lost their positions at home because of the antifeminism of their authoritarian governments. They could not be considered *persona grata*. To appoint them would neither have strengthened the relationship of the Secretariat to the countries in question nor the Secretariat itself. This was a specific if somewhat unexpected consequence of the growing authoritarianism in Europe. The dilemma for the appointing authority was a real one, since the majority of these authoritarian governments remained, as a rule, members of the League and had therefore to be taken into consideration in the appointments of their nationals.

When the reins of the Secretariat passed from the hands of the first British Secretary-General into those of his French successor, the ad-

ministrative rôle and importance of women officials deteriorated slowly but steadily. This found its expression in the character and importance of the work entrusted to women and in the slow decrease in the number of women employed in the First Division. Dame Rachel Crowdy had already been replaced under Sir Eric by a Swedish diplomatist. The British woman who had been an able chief of personnel was succeeded by a Czech official, and it was no mere accident that this transfer was accompanied by the simultaneous elevation of the post to that of Director. Other changes occurred. Posts in the higher brackets retained by women were chiefly in the following activities: in the Interpreters, Translators, and Précis-Writers Services, as head of the Children's Information Service, or as editor of the *Official Journal*.

### 3. WOMEN WITH ADMINISTRATIVE RANK

The following table for the years 1921, 1930, 1938, and 1939 reflects the evolution in the years of the Secretariat's active existence:

YEAR	NUMBER	NATIONALITY
1921.....	4	British (3), United States (1)
1930.....	13	British (7), Belgian (1), Finnish (1), Lithuanian (1), United States (1), Polish (1), French (1)
1938.....	12	British (4), Polish (2), Belgian (1), French (1), Hungarian (1), Lithuanian (1), Swedish (1), United States (1)
1939.....	8	British (2), Polish (2), Belgian (1), French (1), Hungarian (1), United States (1)

Of the thirteen women officials employed in 1930, five (four British and one French) worked as translators or précis-writers in the Document Service, i.e., in positions which required high qualifications, but which did not carry any executive responsibilities. Only nine nationalities were represented among the women members of the First Division in the course of twenty years. Eighty-five per cent of all the member States were never represented in the Secretariat by a woman in a responsible position. The proportion of women to men in the First Division never reached 10 per cent and was in most years well below this level. It was a special feature of the situation in later years that about 75 per cent of the women employed in the First Division had reached their rank through promotion from the Second Division. In contrast,

only about 5 per cent of the men employed in the First Division had begun their League career in the Second Division. This discrepancy was due to the rarity of qualified women candidates, noted by the Committee of Thirteen, and also to the fact that the Second Division consisted in the majority of women. Consequently a larger percentage of women officials was employed in ranks just below that of Member of Section.

From the point of view of the administration as a whole, the promotion of women into the senior brackets of the staff had the advantage that it provided the sections with members who had passed through the different levels of employment and were thus more familiar than most of their masculine colleagues with all the technicalities of the service.

Although the League experiment in equality of the sexes was not entirely successful, no international agency of the future will fall back into the pre-1918 position. The difficulty of finding fully qualified women with the necessary administrative and executive experience will, however, remain the chief obstacle wherever candidates are sought outside the range of Anglo-Saxon and Scandinavian countries. In these other countries — and this applies particularly to Latin America — it will paradoxically be easier to find individual outstanding women for the most important posts than a good average of qualified women for the administrative posts on what was known in Geneva as the Member-of-Section level.

## D. INNER HISTORY: THE LAST STAGE (1939 and After)

### CHAPTER XXIX

#### THE CRISIS

##### I. A POLICY OF WAIT AND SEE

From the time of the Munich negotiations, which occurred during the last days of the 1938 Assembly, the Secretariat began to feel more and more the effects of the political crisis. When World War II broke out, a deep gloom settled over the Secretariat. Gradually the political work of the League came to a standstill. For a short moment in December, 1939, it became alive again when the Assembly and the Council met and expelled Soviet Russia from the League. A few meetings were subsequently held in Geneva and at other places. A few treaties were registered in the archives of the League and some new or old ratifications of conventions were recorded. The number and scope of reports and communications submitted by governments to the League diminished, though not as much as might have been expected. The majority of the member States of the League were not belligerents in the first stage of the war. The strangely hesitant start of the war in the West, the continuance of almost normal telegraphic and telephone communications with France and Britain produced a strange feeling of normalcy amidst the turmoil of war. In spite of the war emergency, statistical information on economic and financial questions continued to arrive, though *military considerations reduced the volume and scope of information*. Statutory reports required under the drug conventions, annual reports on traffic in women and obscene publications, and similar routine documents were submitted according to schedule.

In the Secretariat, documents which had reached an advanced stage of preparation were completed and issued. A series of national monographs drawn up by governments and originally intended as preliminary documentation for a European Conference on Rural Life was published. A good many of the periodical publications of the Economic Intelligence Service and of the Health Organization appeared with the adaptation necessitated by the wartime emergency. The *Treaty Series* published by the Legal Section was augmented by a number of volumes.

In a few cases, governments addressed themselves to the Secretariat for expert help. One of the most remarkable instances of this kind was a request addressed to the League by the Rumanian Ministry of Health at the end of September, 1939. Several contingents of the Polish army had fled into Rumania, which at that time was still a non-belligerent. The Rumanian authorities, fearing that the presence of these troops might cause an outbreak of typhus, cabled the Secretary-General requesting his advice. The Secretary-General dispatched the Acting Chief of the Health Section to Hungary and Rumania. The official made a thorough examination of the circumstances and came to the conclusion that there was no immediate necessity for concerted action on the part of the member States of the League. The local authorities, in his judgment, were well able to handle the situation. His conviction that there was no danger of the spreading of typhus was later borne out by facts.

Though no typhus epidemic was imminent, malaria was. The 40,000 Polish soldiers who crossed the frontier into Rumania, were interned in the Danubian Delta, one of the most infected regions of the country. With the coming of autumn a grave form of malaria could be anticipated. Already the number of infections had increased. The official, supported in his contention by another member of the League staff, succeeded in convincing the health authorities of the necessity of transferring their internees to a healthier part of the country. This suggestion was accepted, and the Polish authorities, at that time established at Angers (France), expressed their gratitude to the League for its help.

In some of the sections the preparatory work for the annual meetings of advisory and other committees was halted when hope for the reunion of delegates began to dwindle. Sections began to investigate the possibilities of studies which could be carried on with the information at the disposal of the Secretariat without governmental information or other outside assistance.

In spite of the outbreak of the war most officials remained at or returned to their desks at Geneva. A number of countries did not call League officials to arms in spite of a general or partial mobilization. Moreover, most of the officials of the First Division belonged to age groups which were not mobilized in the first stage of the war. Voluntary enlistment was not particularly encouraged in 1939 by the governments as had been the case in 1914. The composition of the Secretariat was thus far less affected by the outbreak of the war than might have been expected. It was therefore not surprising that the day-to-day work

within the Secretariat continued more or less normally. Experience demonstrated again that an administration of a certain size, staffed with permanent officials, is a world in itself and that its activities become self-perpetuating. The remark made by the head of a European ministry, that a ministerial department "with a thousand officials needs neither any nation nor any economics; they can keep themselves busy all alone,"<sup>1</sup> contains an element of truth. The strange thing is that self-propagating activities of this kind may be useful and justified.

There were weighty reasons militating in favor of a policy of wait and see, and, consequently, of keeping the Secretariat intact and in good moral and technical shape. The rôle and possible usefulness of the League in the emergency could not sufficiently be gauged in the autumn of 1939 and at the beginning of 1940 to justify a radical change of organization and personnel. After the break-up of Poland the war seemed to have come to a standstill and the League retained its pre-September membership of 1939 nearly intact. It was felt that the League Secretariat constituted a unique body of specialized experts which, if maintained, could be used to staff conferences and provide services and personnel for investigations and missions requiring international experience.

## 2. PERIPETY

The 1938 Assembly had adopted a resolution empowering the Secretary-General, acting with the approval of the Supervisory Commission, "to take any exceptional administrative or financial measures or decisions which appear necessary . . . and such measures and decisions shall have the same force and effect as if they had been taken by the Assembly." The transfer of authority took effect on September 2, 1939.

A certain amount of staff retrenchment had taken place between the last meeting of the Assembly in 1938 and the last meeting of the Assembly in December, 1939. The First Division had been reduced from 152 to 133 members<sup>2</sup> and the staff of the Secretariat from 644 to 540.<sup>3</sup> This reduction had been effected chiefly by not renewing contracts that had expired and by dismissing officials on grounds of reorganization. The

<sup>1</sup> Arnold Brecht, "Bureaucratic Sabotage," *Annals of the American Academy of Political and Social Science*, Vol. 189 (January, 1937), p. 49.

<sup>2</sup> These figures included officials of equivalent rank to members of the First Division, Specialists, Experts, etc.

<sup>3</sup> These figures include personnel of branch offices, correspondents, and staff of the Central Opium Board.

reorganization effected in 1939 gave ample opportunity for the use of these powers.<sup>4</sup>

In order to achieve the reduced budget which circumstances imposed upon the League, a further reduction of the staff was inevitable. The Supervisory Commission therefore recommended in its Third Report to the 1939 Assembly<sup>5</sup> that officials whose services it was deemed necessary to dispense with under the new circumstances should be offered either the suspension of their contracts or, as an alternative, resignation. Officials who chose suspension would receive an *ex-gratia* payment not exceeding three months' salary, those choosing resignation, "an indemnity of one to three months' pay." The hope of effecting a large reduction of officials did not materialize, however, as "the circumstances in which they were placed obliged them to consider not so much the possibility of eventual re-instatement in the service of the League but immediate provision for their responsibilities on leaving Geneva." The scheme originally proposed by the Supervisory Commission was therefore revised in a manner more favorable to the officials. Under the revised scheme officials who chose suspension continued to belong to the Pensions Fund. The officials' contributions were to be paid by the League. They were entitled also to a small *ex-gratia* payment. Officials who chose resignation were entitled to an *ex-gratia* payment of six months' or a year's salary according to the length of their services.

The scene changed with dramatic suddenness in mid-May, 1940, after the German armies attacked Norway, France, Belgium, and the Netherlands. Upon Italy's entry into the war the Secretariat found itself for all practical purposes isolated. A continuation of the state of seminormalcy in the midst of a world conflict such as had existed in the Secretariat during the first eight months of World War II had become impossible. The most critical moment in the history of the Secretariat had arrived. Within the space of a few weeks a number of countries lost their independence; others, under German pressure, lost their liberty of action. Communications were blocked by military operations, and the telegraph and mail services were gravely handicapped. The League was unable to collect dues from numerous countries, and there was not the least hope that the remaining free members could

<sup>4</sup> See chapter on "Principles and Structure of Organization," *supra*, p. 87.

<sup>5</sup> L.N. Document A.5(b).1939.X., p. 3 and Annex I; quoted in *Fourth Report of the Supervisory Commission (1939)*, L.N. Document A.5(c).1939.X., p. 4. For the rôle played by the Supervisory Commission in the years 1939-44, see chapter on "Rôle and Decisions of the Policy-Making Organs," *supra*, pp. 24-25.

make up for the expected loss of income. Any resumption of the activities of the Council or the sessions of the Assembly which had been suspended, but not closed, in December, 1939, became more and more unlikely.

This situation led to the decision to reduce the staff of the League to a skeleton in most departments and to maintain a number of services on a very much reduced scale, to wit: the Financial Section and the Economic Intelligence Service, some activities based on international conventions (particularly in the field of narcotic drugs), and to a very minor degree the work of the Health Section. Within a few weeks 78 per cent of the remaining staff members resigned or were suspended.<sup>6</sup> What this meant in concrete terms is perhaps best illustrated by the Document Service, which numbered seventy officials in the 1940 draft budget and only two officials in the 1941 budget.

The Director and part of the Economic, Financial, and Transit Department transferred their activities in August, 1940, to Princeton on an invitation received from Princeton University. Branch Offices of the League's services relating to Control of the Drug Traffic were established in the United States, as well as a Research unit of the Health Section, entrusted with the task of closely cooperating with UNRRA.

According to an official report, "On April 15th, 1942, there remained in the Secretariat 82 officials occupying posts provided for in the budget, 32 of them belonging to the first division, 14 being ex-officials re-engaged temporarily, 5 officials in Branch Offices, 2 officials of the Pensions Fund and 4 officials of the Permanent Central Opium Board, to whom there should be added a few persons whose salaries are paid from grants of the Rockefeller Foundation." The fact that the retrenchment effected in 1940 had gone too far, even if it was only intended to preserve the skeleton services for most activities and to carry on two or three services with a reduced staff, is illustrated by the fact that between 1940-44, fourteen officials who had already left were reinstated at Geneva and the services in Princeton and Washington had to engage about thirty officials for temporary employment.<sup>7</sup>

The offer of a choice between suspension and resignation amounted in many cases to an enforced resignation, as "suspension" did not

<sup>6</sup> For the internal organizational steps which accompanied these staff reductions, see chapter on "Principles and Structure of Organization," *supra*, p. 88.

<sup>7</sup> The reengagement of temporary staff has been made possible by a Rockefeller grant.

solve, in practice, the problem of providing officials "for their responsibilities on leaving Geneva." *Suspension* secured continued membership in the Pensions Fund but it only meant the receipt of three months' salary and the vague hope of being recalled into service if conditions improved or certain services were resumed. *Resignation*, on the other hand, provided the official with the necessary capital sum and ready cash needed<sup>8</sup> for the liquidation of his affairs in Geneva and the establishment of a new existence elsewhere. The actual material hardships were not particularly grave, especially as transfer of money to practically any country in the world was and remained possible. The high exchange rate of the Swiss franc was a favorable element; but traveling had become extremely difficult and officials coming from conquered countries either had no desire, or were unable, to return home. The most serious aspect was the moral blow caused by the sudden termination of association with the League. Most officials had considered their work in the League their life task. They now faced the necessity of beginning a new existence in a war-torn and not always friendly world. Moreover, most League officials were in an unfavorable position from a professional standpoint. The strict civil service rules to which they were subjected at Geneva had cut them off from former professional associations or had, in the case of younger officials, prohibited their establishing such connections in their home countries. Many had to start anew. The prestige of the League at that moment was too low to guarantee dismissed League officials professional opportunities commensurate with their experience and qualifications. A few were absorbed into military service; a fair number received diplomatic or foreign office appointments in their respective governments (some of which were governments-in-exile). Some remained in Geneva, and a number of these were reengaged on a temporary basis. Among those who sought asylum in the United States, some found employment in new governmental war agencies, others engaged in academic or research work. At the time these lines are being written a tendency to reintegrate some of them into international administrative work through the new United Nations agencies may be observed. A good proportion of the younger ex-officials of the League stand a fair chance of being integrated into future international agencies unless major changes in the social and political structure of most countries occur.

<sup>8</sup> The *ex-gratia* payment of a sum up to twelve months' salary was "payable by annual instalments," each, as a rule, equivalent to three months' salary.

The time has not yet come to evaluate dispassionately the steps taken in the spring of 1940. There is no doubt that the suspension of the political services and activities of the League was a necessity, since the League had not been utilized by the member States when the supreme crisis arose in 1940. It would have been futile for the head of the administration to have attempted to persuade the members to make use of the Geneva facilities for the settlement of international disputes. The unwillingness of Germany, Japan, and Italy to have any dealings with the League would have made any effort to shift negotiations to Geneva useless, especially as Russia had withdrawn from active participation in the League after Munich and was expelled from the League in December, 1939.

Another question is whether it was necessary, desirable, and in the interest of the community of States, to suspend not only the political but also the technical services of the League to the degree to which this was done. There existed at least the possibility of their continued usefulness. Thus a vicious circle had been created: Because of the momentary impossibility of employing them fruitfully, services were compressed or even suspended in 1940; the retrenchment thus effected in its turn prevented the member States from utilizing these services when they were needed, for at a later stage of the hostilities some tasks actually arose that could have been met by these services had they been in sufficiently fair shape for the fulfilment of major tasks. This seems to be proved by the fact that UNRRA and the Food and Agriculture Organization of the United Nations require services for which some of the technical organs of the League could have provided the framework and an experienced and qualified staff.

This interpretation is sustained by the Report of the Supervisory Commission for the year 1940, which describes the situation in the latter part of that year as follows:

Although seriously handicapped, chiefly by difficulties of communication and the impossibility of holding meetings, the League is still in a position to render signal services in the technical field, and it is on this aspect of its work and on the problem of ensuring the survival of its invaluable machinery for future collaboration between the nations that attention is now primarily concentrated.<sup>9</sup>

This statement implies the severest possible criticism of the policy pursued in the critical weeks of 1940.

<sup>9</sup> *Report of the Supervisory Commission for the Year 1940*, L.N. Document C.152. M.139.1940.X., p. 2.

## 3. A TRAGIC INTERLUDE

One would be naturally inclined to gloss over the circumstances which led to the resignation of the second Secretary-General in August, 1940. But they constitute an important event in the League's inner history and an essential part of the experience in international administration. To pass them over would mean to deprive the student of international administration of the full understanding of one of the major problems of the experience: the rôle of leadership in international organization in a crisis.

The second Secretary-General's attitude had been puzzling to most of those who had come into contact with him since the Munich Agreement, September, 1938. The sudden dismissal of his Chief of Cabinet in December, 1938, was criticized in the press of the whole world. Circumstances suggested that this step was dictated by acquiescence in the rising totalitarian forces not fully compatible with the spirit and letter of the Covenant and the tasks of a Secretary-General of the League. This impression gained strength after the outbreak of the war in 1939 and seemed to be reflected in many decisions made during the critical May days of 1940 which would otherwise be inexplicable.

The Secretary-General could not avoid dismissing a great part of the staff, but there were elements in his *modus procedendi* suggesting a bias not altogether in keeping with the policy of some of the countries which were the moral mainstay and the chief material support of the League. Moreover, the question was legitimately asked whether the degree of staff retrenchment was in keeping with the resolve expected from the head of the international administration to save as much of the machinery as possible.

The delegation of power to the Secretary-General by the Assembly mentioned above came into force on September 2, 1939. Because it was impossible for the Supervisory Commission to meet without delay, the Secretary-General virtually possessed quasi-dictatorial powers. The steps taken between the outbreak of the war and the summer of 1940 suggested that the man into whose hands the machinery, and up to a point the fate, of the League had been entrusted no longer believed in the possibility of the survival of the League and that he considered the forces resisting aggression all but lost.

A very serious view of this attitude was taken by the President of the Council and especially by some members of the Supervisory Commission who, under the resolution of the 1938 and 1939 Assembly had

become, together with the Secretary-General, the trustees of the League. Whether political pressure exerted upon the Secretary-General from Vichy — as has been asserted on excellent authority — contributed to the further development of the situation cannot be proved or disproved.

The following account of events is based exclusively on official communications, bearing official League serial numbers, which passed between the Secretary-General and the President of the Council.

The first of the documents relating to the resignation of the Secretary-General is a communication from M. Avenol to the members of the League of Nations dated July 25, 1940 (confirming a telegram of the same date).<sup>10</sup> In this communication the Secretary-General stressed the impossibility of carrying out "certain inevitable reforms" in regard to amending the Covenant as well as of enacting the separation of the economic and social work in which non-Members of the League "had already shown their interest." In view of the impossibility of holding sessions of the Assembly, the Council and the Committees, he continued, the "constitutional powers of [the] Secretary-General are in fact in suspense."<sup>11</sup> The remaining duties no longer justified the maintenance of a political High Direction. The work of the technical sections could well be continued in the form of an organization "which would be better adapted to [the] needs of [the] hour." He therefore requested the member States to relieve him of his obligations. "I propose [to] notify [the] date on which my resignation would take effect after [the] coming meeting of [the] Supervisory Commission."<sup>12</sup>

The introductory passage relating to the regrouping of the forces by amending the Covenant allows for no other interpretation than that the Secretary-General, in the summer of 1940, after the attack on Poland, Norway, Denmark, France, and the Netherlands, still believed that a policy of amending the Covenant to give it greater universality by weakening its enforcement machinery was a desirable goal. His reference to the possibility of attracting non-member States by separation of the technical work points in the same direction. These passages read together, and read also in conjunction with the remark regarding the political High Direction, suggest that in view of the victory of the German aggressors the Secretary-General was in favor of liquidating all the vestiges of the political League.

<sup>10</sup> L.N. Document C.121.M.III.1940.

<sup>11</sup> In view of the delegation of power that had been effected in 1939 the correctness of this statement is highly questionable from a legal point of view.

<sup>12</sup> Italics are author's.

This document was followed by a letter addressed on August 16 to the President of the Council. It can only be conjectured what happened in the meantime but it is certain that the suggestions of the Secretary-General were not accepted. Giving as a reason the impossibility of arranging a meeting of the Supervisory Commission, the Secretary-General stated that his obligations could not come to an end on the date of his letter of resignation. He offered, however, to relinquish his salary as Secretary-General as from the end of August and added that he "would wish to have to take no further initiative as from that date."<sup>13</sup>

In a telegram addressed to members of the League, dated August 20, 1940, M. Avenol announced the cessation of his functions as Secretary-General as from August 31, adding that Mr. Lester, Deputy Secretary-General, had been Acting Secretary-General since July 26 of that year.<sup>14</sup>

There are two possible explanations for his change of mind between July 25 and August 20, namely, that the President of the Council, who had been in touch with the President of the Assembly and with members of the Supervisory Commission, was unwilling to leave the levers of command any longer in M. Avenol's hands or the desire on his part to be no longer associated in the eyes of the outside world (including his own government and the masters of the Third Reich) with responsibility for the League.

In a letter dated August 21, the President of the Council informed M. Avenol that he had taken note of the termination of the Secretary-General's functions at the end of August. This letter reveals that the President of the Council had up to then been unaware of the "new fact" conveyed by the telegram of August 20<sup>15</sup> that Mr. Lester had been Acting Secretary-General since July 26.

The strangest document, however, among a collection of strange documents is one dated August 31, in which the Acting Secretary-General informs the Council and the Members of the League that Document C.131.M.120.1940, containing the letters exchanged between M. Avenol and the President of the Council on August 16 and 21 respectively, "should be regarded as null and void."

The deeper meaning of these happenings is elucidated in a communication by the Acting Secretary-General of September 5, in which he

<sup>13</sup> L.N. Document C.131.M.120.1940.

<sup>14</sup> L.N. Document C.127.M.116.1940; see also *Report of the Supervisory Commission for the Year 1940*, L.N. Document C.152.M.139.1940.X., p. 6.

<sup>15</sup> L.N. Document C.127.M.116.1940.

expresses the hope that the governments will give the "support necessary to maintain unimpaired such League activities as circumstances now permit." An effort was now exerted to salvage from the debris as much as could be saved at that moment. Among the answers received the most revealing was probably a telegram from Lord Halifax, at that time Foreign Secretary, assuring Mr. Lester of support on the part of the British Government "to preserve so far as may be the working organization and activities of the League."

Thus ended the most painful episode in the League's history. Mr. Lester has since fulfilled conscientiously, with the help of the Supervisory Commission and such help as governments were willing and able to give, the functions of Acting Secretary-General, and to rebuild the League machinery as far as circumstances allowed.

Too little time has elapsed for a dispassionate analysis of the situation and the manner in which it was met. Suffice it to state — and it can be stated without fear of contradiction on the part of anybody familiar with the internal events during those fatal weeks — that the leadership did not prove equal to the severe test. There is unanimous agreement today that a good deal more could have been saved had the head of the administration been resolved to salvage as much as possible. Instead, it appeared as though he were bent upon the destruction of the machinery which had been entrusted to his care by the common confidence of all the member States and in the building up of which he had participated.



**PART V**  
**GENERAL APPRAISALS AND EVALUATIONS**



## CHAPTER XXX

### SECRETARIAT AND INTERNATIONAL LABOR OFFICE

A study of the first great experiment in international administration would not be complete without an attempt at a comparison of the League Secretariat with the International Labor Office from the administrative angle. The ILO was the only other major international administrative unit operating in the interwar period.<sup>1</sup> Created at the same time as the League Secretariat, located at the same place, staffed according to the same principle of international civil service, and subject to the same financial control exercised by the League Assembly, a comparison will shed additional light upon some of the major problems of international administration. Such a comparison must focus its attention upon the three major aspects treated in this book — leadership, organization, staff.

#### 1. LEADERSHIP

Existing literature on the subject of the ILO, much more abundant than that dealing with the Secretariat, and the unanimous judgment of all persons with experience in one or the other, or both agencies, concur in attributing a major share of the divergence in the evolution of the two international secretariats to the difference in the character of the personalities of the first heads of the two administrative machineries. In considering the development of the position and functions of the Secretary-General and the Director of the ILO, the fact must not be lost sight of that, apart from human factors, causes inherent in the structure of the ILO with its mixed official and non-official representation gave the Director of the ILO a position and responsibilities different from those of the Secretary-General.

The first Secretary-General of the League was a civil servant, self-effacing and reared in the tradition of anonymity. The first Director of the International Labor Office was, in the words of the Noblemaire Report, a man of "overflowing energy and remarkable personal magnetism,"<sup>2</sup> a politician wont to fight major political battles in public,

<sup>1</sup> The reasons for the omission of the large Secretariat of the Pan American Union will be found in the chapter on "Principles and Structure of Organization," *supra*, pp. 78-79.

<sup>2</sup> *Op. cit.*, p. 17.

a man who had served his country during the preceding war as a distinguished and dynamic Minister of Munitions. Whereas the first Secretary-General of the League disappeared behind the representatives of the member States, the first Director of the ILO considered himself an international statesman. While the Secretary-General looked upon his tasks as technical and advisory, restricting even this latter function to instances in which his advice was sought by the governments, the Director of the ILO felt himself called upon by duty and temperament to make detailed proposals upon every question which came before the Governing Body or the Conference, and explain and defend these proposals during the discussions.<sup>3</sup> Whereas the Secretary-General avoided taking any steps not previously sanctioned by Council and Assembly or clearly entrusted to him under the Covenant, the Director of the ILO took the initiative in most of the important questions. The first Secretary-General of the League was a typical Britisher, the first Director of the ILO a typical Frenchman of the Mediterranean type. While the very selection of two such distinct personalities by the governments is indicative of a different approach to the two agencies, the contrast in temperament and make-up became in its turn one of the major causes of the differences which appeared very early in the structure of, and the atmosphere surrounding, the two administrations.

## 2. ORGANIZATION

Unlike the organization of the Secretariat, which left considerable liberty and responsibility to the heads of the different sections, the International Labor Office was organized according to the system characteristic of French administrative and ministerial practice. The French cabinet system was conducive to a high degree of centralization, enabling the Director to keep himself informed of all the phases of development of the work and to maintain "direct and personal touch with Governments and important organisations throughout the world."<sup>4</sup>

In both agencies French and British administrative procedure had

<sup>3</sup> Jenks, "Some Problems of an International Civil Service," *op. cit.*, p. 94.

<sup>4</sup> Noblemaire Report, p. 20. It cannot be denied that the degree of centralization existing in the ILO seemed exaggerated even to a Commission of Experts, presided over by a Frenchman and composed in its majority of persons who had grown up in the Latin administrative tradition. For the Noblemaire Report, after having enumerated the advantages of the cabinet system as applied to international administration, states that "it may in future be desirable, when the organisation Office has attained greater stability than at present, and when the need for centralisation is less urgent, to give increased responsibility to Heads of Divisions, with advantage to the general working of the office."

to be reconciled or blended. The creation of the League Secretariat in London under British leadership gave the British methods an initial advantage, while British procedure in the Labor Office was bound to fight a losing battle in an administration headed by a strong-willed Frenchman like M. Albert Thomas. A good deal of the technical side of administration — the filing, indexing, and registry system — was nevertheless organized on almost identical lines. Office routine was very similar.

The preponderance in the ILO of former administrative officials, together with the concept of centralized administration, threatened the ILO with bureaucracy from the beginning. The Secretariat, on the other hand, was in its first stages exposed to the opposite danger owing to lack of familiarity with administrative procedures on the part of many of its original members. But the shift to the French system under the second Secretary-General, and the almost simultaneous change from a French to a British director in the ILO, led at a later stage to greater equalization of procedures in the two Secretariats.

### 3. STAFF

The staff of the Secretariat was, in 1930, 658, that of the ILO, according to official figures, 424.<sup>5</sup> Both were sufficiently large and close to each other in size to justify a comparison of conditions of appointment and employment.

After an initial period, during which the ILO staff was graded somewhat differently from that of the Secretariat and the salaries of the main grades of the ILO were somewhat lower than the corresponding Secretariat salaries, the staffs of the two offices were graded alike.

In another part of this study the reasons for the spiritual and moral homogeneity of the early League staff have been outlined. The position of the ILO staff in this respect has been described in the Report of the Committee of Experts of 1921 as follows:

In our interviews with individual officials we have gained the impression of an able and enthusiastic staff, inspired by the overflowing energy and remarkable personal magnetism of their distinguished Director, recruited with the greatest care, and possessing to an unusual degree . . . the qualities required for their particular posts.<sup>6</sup>

<sup>5</sup> These figures refer to all three categories of the staff of the League Secretariat and the ILO. They do not, however, include a great number of locally recruited persons charged with the upkeep of the offices and the building, etc.

<sup>6</sup> "Organisation of the Secretariat and of the International Labour Office: Report of the Committee of Experts . . .," L.N., *The Records of the Second Assembly, Meetings of the Committees*, Vol. II, pp. 174-222, at p. 208.

The moral impulse and personal enthusiasm found in both staffs was truly remarkable in view of the fact that there were some elements, absent in the case of the Secretariat, that threatened the unity of purpose in the ILO. The early Secretariat was united in its belief in the League method of cementing and preserving peace. Though individual views on social problems may have differed among League officials, these were a matter of secondary importance in their official capacity. The social purpose of the ILO and its tripartite system, on the other hand, contained an added problem represented in the need for reconciling differing social concepts in addition to that of welding different national views. In composing his staff the Director of the ILO had not only to take into account practically all aspects which the Secretary-General had to consider but to provide in addition for the different social concepts represented by the three component groups — government, workers', and employers' organizations. According to their antecedents, the staff of the ILO consisted of officials recruited from national labor departments or ministries for social affairs, of trade union officials or sympathizers, and of persons coming from employers' organizations or reflecting their points of view.

Under these conditions, there lay a possibility of tension and conflict. If this danger never became serious it was due to a number of facts. First, most of the nominees of the governments and the majority of former officials were in favor of progressive social policies and were therefore closer to the trade union group than to the employers. Secondly, persons representing the employers' point of view gradually came around to a positive attitude toward the purpose and method of the ILO as a means of securing social peace and preserving the existing economic order. Most important, however, was the personality of the Director, whose personal relationship to the staff created a bond of loyalty transcending possible differences of views.

The Secretaries-General of the League kept somewhat aloof from their personnel. Many officials, even those belonging to the First Division, had no opportunity to establish personal contact with them. The practice initiated by the first Director of the ILO was different. M. Albert Thomas gave every member of the staff from the charwoman upward a "recognised right to a personal audience with him." He showed infinite patience in settling even minor personal problems of his staff. Moreover, he made it a point to communicate, by his famous "notes," even with subordinate officials.<sup>7</sup> In addition, the first Director of the ILO established the practice, dangerous from a general administrative

<sup>7</sup> Phelan, *Yes and Albert Thomas*, pp. 114, 116.

point of view but conducive to the morale of officials in the middle and lower levels, of summoning individual members of the staff to discuss their work with them and to give them orders, thus cutting right across and through all the red tape of internal administration.

His fundamental idea was that he wanted to create a personal link between himself and every official. Officials must know that the Director did not consider them as obscure cogs in a vast machine, but as collaborators with whose work the Director was personally familiar. . . . Thus, and thus only, in Albert Thomas' view could a real loyalty to the Office be built up.<sup>8</sup>

While the loyalty of the staff of the League (apart from the officials of the first hour) was somewhat impersonal, consisting of loyalty given to the "League," that of the ILO staff was highly personalized. Yet when M. Albert Thomas left, it had become sufficiently deep to survive the change of leadership and become depersonalized. It was transferred to the Office.

Whereas the Secretary-General appeared before his staff only on rare occasions and then, as a rule, only to justify some unpopular administrative measure, the first Director of the ILO frequently met with his staff, in monthly intervals in the early days and later whenever important events in the development of the ILO suggested the advantage of giving the staff a full explanation of the problems involved.

From a sociological point of view both secretariats differed. The League Secretariat, with a personnel largely composed of members of the upper middle-class, was socially more homogeneous than the ILO, with its sprinkling of trade union nominees, some of whom, however, were intellectuals. Moreover, as the majority of the nominees of the employers and trade union groups had been employees and office workers, and the nominees of the governments for the most part had been officials, civil servants and officials predominated in the ILO right from the beginning. Former diplomats were practically absent from the ILO staff.

An interesting sidelight on the evolution of the two international administrations is afforded by the difference in the practice of the two agencies regarding tenure of office. Whereas only about half of the Members of Section of the League Secretariat held permanent contracts in 1938, practically all officials of equivalent rank in the ILO had such contracts. This difference may have been due chiefly to the more political character of a good deal of the League's work, to the

<sup>8</sup> Phelan, *Yes and Albert Thomas*, p. 116.

greater number of temporary tasks imposed upon the Secretariat, and, as far as the ILO is concerned, to the more technical-expert character of most of its work. But not the least important of the reasons accounting for the difference in the position of the two related staffs may be found in the greater emphasis placed upon the security of the staff by the heads of the ILO and by the staff itself. M. Thomas and his successors more actively resisted the general pressure for savings in staff expenditures exerted by the League organs (Supervisory Commission and Assembly) than did the Secretary-General. They knew that they would be supported by the Governing Body of the ILO which was and is strongly influenced by trade union points of view. Furthermore, there was a strong conviction that an agency created to safeguard fair standards of employment in the whole world must be exemplary in its own employment policies and practices. Diplomatic restraint on the part of the Secretariat authorities, on the other hand, discouraged the Secretary-General from emulating the Labor Office.

The position taken by the ILO with respect to titles and ranks was also more satisfactory. Since political pressure on behalf of appointments was less frequent and was more vigorously opposed by the administration of the ILO, there were fewer reasons for creating an equally large class of Members of Section. Moreover, by dividing the administration into a greater number of sections and services, more officials of the administrative level could be entrusted with responsible posts. While the rank of Chief of Section was unusual in the Secretariat, the ILO promoted a great many of its officials to this station with profit to the morale of the staff.<sup>9</sup> The danger of stagnation confronting the Secretariat arising out of the impossibility of advancement beyond the level of Member of Section, was thus reduced in the case of the ILO.

In conclusion it may be said that the ILO and the Secretariat developed somewhat differently, in part because of the difference in their tasks, in part because of specific reasons which had their main source in the personalities of their leaders. The atmosphere, certain traditions, and collective reactions were different. But there was no basic difference between the two international administrations. Both were superbly efficient from a technical point of view. Both had a devoted staff, developed an *esprit de corps* transcending national and social disparities, created strong loyalties. Both had proved that international administration is feasible, that it can be efficient, and that the concept of international civil service is practical.

<sup>9</sup> See chapter on "Classification of Staff," *supra*, pp. 280-81.

## CHAPTER XXXI

### THE RÔLE OF THE SECRETARIAT IN LEAGUE POLICIES

#### I. CONTRADICTORY EVALUATION

Sr. Salvador de Madariaga, a former Director of the Disarmament Section of the League, illustrated the popular conception of the rôle of the Secretariat with the following story:

"A League committee," I once heard a delegate say, "is composed of a president and secretary." And his interlocutor asked: "Do you think the president necessary?"<sup>1</sup>

This facetious anecdote suggests that the Secretariat shaped League policies, and this view was widely held in uninformed circles. The official viewpoint was the opposite, namely, that in the final count the Secretariat had no voice at all and exercised no influence. The Secretariat, according to the official thesis, was little more than the office organization of the League — an address, a registry with a permanent staff, relieving members of the difficulties and disadvantages of assembling an inexperienced *ad hoc* staff for conferences and committees, and enabling them to transfer follow-up work from their foreign offices to an agency acting on behalf of all.<sup>2</sup> The truth lies between the two opposing views. The influence of the Secretariat in the shaping of League policies cannot be denied, but it was never decisive. Moreover, it differed in the various stages of League evolution, and it was probably greater in the technical work of the League than in its political activities.

Strong apprehension was felt in the beginning that the Secretariat might not keep strictly within its constitutional boundaries but would promote policies of its own. This fear found expression in the following passage of the Noblemaire Report which, in spite of its guarded language, contained a warning that was unmistakable:

The Committee recommends with special urgency that in the interests of the League, as well as in its own interests, the Secretariat should not extend the sphere of its activities; that in the preparation of the work and the decisions of the various organisations of the League, it should regard it as its first duty to

<sup>1</sup> *The Times* (London), September 4, 1928, p. 14.

<sup>2</sup> See chapter on "Powers and Functions of the Secretariat," *supra*, pp. 17-19.

collate the relevant documents and to prepare the ground for these decisions without suggesting what these decisions should be; finally, that once these decisions had been taken by the bodies solely responsible for them, it should confine itself to executing them in the letter and in the spirit.<sup>3</sup>

The fears expressed in the Noblemaire Report were soon allayed; apprehensions were, from time to time, voiced by member States and in one or two cases by committees. But, taken as a whole, countries were not alarmed by the activities of the Secretariat nor had they any reason to be apprehensive. Exaggerated ideas regarding the power and influence of the International Secretariat, however, never fully died down, especially among outsiders.

In the opinion of M. William E. Rappard, the Secretariat was from the beginning "a very much more vital organ of the League than the language of the Covenant would lead one to suspect — and than most of its authors probably anticipated."<sup>4</sup> The former Director of the Mandates Section, speaking as a Swiss citizen, points out that, as a general principle, —

the relative importance of a civil service stands in inverse ratio to the stability and activity of the political authority it assists. Where governments frequently change and where ministers are more engrossed with extraneous than with departmental duties, as is the case in most parliamentary states, the civil service is the real power behind the throne. Where, on the contrary, as for instance in my own country, the government is very stable, the actual tenure of office of its members very long, and their duties more administrative than political, the civil service plays only a subordinate part.<sup>5</sup>

M. Rappard concludes his argument by stating that, in the beginning the Government of the League was a weak government:

During these first years, Council meetings might sometimes have been compared with the harmless pastime of children playing with their toy sailboats in the pond of a city park, the masterful children being the Secretariat and the cardboard admirals on board the boats the dignified and indolent representatives of the powers.<sup>6</sup>

With the growing importance of the League, the dispatch of truly representative men to Geneva, and the careful preparation of official

<sup>3</sup> *Op. cit.*, p. 3. It is significant that this passage did not appear in the original text of the Report of the Committee of Enquiry on which the Noblemaire Report is based and which was otherwise utilized "with a few slight alterations affecting the form rather than the substance." It will be noted that this general remark is addressed only to the Secretariat of the League and not to the ILO.

<sup>4</sup> "The Evolution of the League of Nations," *op. cit.*, p. 810.

<sup>5</sup> *Ibid.* <sup>6</sup> *Ibid.*, p. 811.

instructions by the national civil services at home, "the part of the masterful children on the shore naturally became less decisive and more contemplative."<sup>7</sup>

This viewpoint is not shared by others who believe, on the contrary, that the influence of the Secretariat tended to increase rather than decrease as the years passed by because of its key position in international affairs. The German press, for example, was full of articles and dispatches from its Geneva correspondents in the early thirties exposing alleged plots and dark schemes engineered by a mythical power called "Geneva bureaucracy." New staff appointments, hardly recorded in the press of other countries, were scrutinized at great length in view of their possible political implications. The impression was deliberately created that the Secretariat was a center of conspiracy, not only against Germany, Italy, and other "frustrated" nations, not only against disarmament and against the protection of minorities, but against the peace of the world. Absurd and evil as this kind of criticism may have been, like the devil in Goethe's *Faust*, it nevertheless promoted good. For such attacks impressed upon the League authorities the importance of constant watchfulness over their internal decisions and thus served as an antidote against that eternal danger threatening the Geneva administration — loss of contact with realities.

## 2. RANGE AND CHARACTER OF INFLUENCE

In order to appraise in its proper perspective the rôle played by the Secretariat, a number of facts must be taken into consideration. As the activities of the League multiplied, new precedents were established, and more and more international conventions were concluded under the auspices of the League, the key position of the only permanently functioning organ was accentuated as a matter of natural evolution. The character and the scope of the influence actually exercised by the Secretariat can best be illustrated by reference to two aspects: (a) the consequences of the permanency of the Secretariat, and (b) the duties entrusted to the Secretariat under international compacts concluded under the auspices of the League.

### A. CONSEQUENCES OF PERMANENCY

Between sessions of the policy-making organs and its numerous committees, the Secretariat was the only concrete evidence of the League's

<sup>7</sup> "The Evolution of the League of Nations," *op. cit.*, p. 811.

existence. This compelled the Secretariat to act at times without clear authority or definite rules to guide it. Mr. Felix Morley, whose evaluation of the rôle of the Secretariat tends toward exaggerating its importance, lays stress upon the "increasing number of issues on which there must be some direction of policy in the long intervals when neither Assembly nor Council is functioning." He adds: "The fact that the directorate of the Secretariat makes decisions of policy during these intervals, is often veiled by an *ex post facto* approval from the Council."<sup>8</sup> These statements may be accepted if it is understood that activities of this kind were narrowly restricted, that they remained strictly within constitutional limits, and that, broadly speaking, they did not even go as far as a broad interpretation of the Covenant would have justified. They could hardly be called policy-shaping.

Officially, members of the staff never departed from their purely technical function, and any tendency on the part of a specific conference or committee to draw them out of their anonymity and entice them to take a position in any discussions was severely discouraged. Sometimes, officials gave additional information to a committee orally regarding "progress reports" or action taken on previous decisions; they answered questions concerning the work accomplished between sessions or concerning points on which their expert knowledge was required; but they never crossed the line dividing the administrator from the governmental representative.

Mr. E. J. Phelan gives an account of an early incident which happened on the occasion of the Maritime Conference held under the auspices of the ILO at Genoa in June, 1920:

One Committee elected as its chairman a member of the staff — and an admirable chairman he proved to be. The measure was hotly criticised as unorthodox but no rule could be invoked against it and the Committee insisted on maintaining its decision.<sup>9</sup>

No League official would ever have dared to accept a similar appointment, and no League committee would ever have taken a similar step.

As the years progressed, the League archives at Geneva, the office files of the Secretariat, and the memory and experience of the individual officials became increasingly the depositories of the League's work. Statesmen and their advisers changed, new States joined and others left, but the League officials remained on the spot. They alone were aware of the history behind each question, of the views held by the

<sup>8</sup> Morley, *op. cit.*, p. 315.

<sup>9</sup> Phelan, *Yes and Albert Thomas*, p. 98.

different governments and by political factions within the different countries. Thus they could not help acquiring a thorough knowledge of all questions dealt with by the League in the course of the years.

In innumerable cases League officials rendered meritorious service by supplying governmental representatives with data and insights that would have been difficult, indeed impossible, to gather through national channels. Conscious of the importance of the League's work and perhaps often overestimating the importance of a particular and sometimes marginal activity, the official followed a natural impulse in wishing to promote the progress of the work. Conscious also of the fact that the individual delegate was rarely as cognizant as he himself of all the implications and possibilities, he was only human in placing his knowledge and experience at the disposal of a delegate of his own or of any other country.

The technique employed by the international staff whenever it desired to see a certain line of policy followed conformed invariably to one time-honored civil service pattern: An official approached a delegate of his own or of any other country whom he considered open to suggestion and tried to interest him in the particular question and to induce him to take it up in his official capacity. Having achieved this much, the official withdrew behind his anonymity and the responsibility for any resulting action devolved exclusively upon official representatives of the member States. To recognize in each single case the proper line dividing the permissible from the illicit, the admissible from the inadmissible, required, on the part of officials, infinite tact, self-discipline, and often self-effacement, especially in those cases where an experienced international officer saw possibilities of progress and action blocked by prejudice or lack of comprehension.

Out of permanent preoccupation with the work of technical committees and the specialization resulting therefrom grew the part played by League officials in shaping policies of many specialized committees in the field of communication, health, social questions, etc. As Mr. Felix Morley has pointed out, "Without the aid, assistance, and advice of the Secretariat the League's technical and advisory committees would not have accomplished a small fraction of the work which stands to their credit." Equally true is the statement that "A strong and purposeful director of section will often lead his committee."<sup>10</sup> Undeniably, many suggestions for tasks to be undertaken by committees, for branching out into new fields and exploring new vistas, had their origin in the

<sup>10</sup> *Op. cit.*, pp. 249-50.

brains of those "masterful children" on the shores of Lake Geneva of whom M. Rappard once spoke with a certain touch of irony. Many of these new ventures involving research and coordination could never have been brought to a successful conclusion without the existence of the international clearing-house. But, by the same token, in the great majority of cases the League official acted as a catalytic agent rather than as initiator.

A legitimate variety of the kind of assistance rendered by League officials to the members of the League consisted in the help given to chairmen of committees, *rapporteurs*, and similar officers of international conferences and committees who had been charged by their colleagues with the task of presenting balanced and unassailable accounts of deliberations and their results. It was difficult for any national delegate or representative, even if he happened to be an old hand at international deliberations, to draw up reports free from national bias or coloring. League officials, on the other hand, usually knew all the pitfalls, all the taboos and susceptibilities of the different countries. A phrase which seemed harmless as far as one country was concerned might be full of dynamite in an international gathering in view of the position taken by other governments. Members of the Secretariat were therefore frequently entrusted with the task of preparing reports of committees, or they were expected to formulate the actual wording of recommendations or decisions. The faculty of drafting texts with speed and accuracy was considered so important a gift that it became in later years one of the major qualifications of an official, singling him out for recommendation and promotion. Most of the major reports drawn up under the aegis of the League and known under the name of one delegate were the work of officials of the Secretariat who remained anonymous. Of this type of influence there can be and there need be no denial.

Considered dispassionately, all this suggests that League officials fulfilled, in an international medium, the time-honored civil service functions *kath' exochén*. They accomplished in their respective sphere of action what the civil services of Britain, France, Spain, and Austria had done for centuries in their national spheres of action. Yet the novelty of seeing these traditional civil service functions practised on the international plane, in the full glare of publicity characteristic of League activities, sometimes shocked observers and induced them to consider them an alarming, even evil by-product of the League system. They were terrified by the specter of a new incubus casting its spell

over the future of humanity — a powerful, scheming, and anonymous international bureaucracy.

#### B. AUTHORITY RESULTING FROM PREOCCUPATION WITH INTERNATIONAL LEGISLATION

Closely related to the authority resulting from administrative permanency, and to some extent a consequence of it, was the influence exercised by the International Secretariat in the execution of specific stipulations contained in international conventions, and the follow-up work resulting from preoccupation with international legislation. An attempt to enumerate and describe these activities in detail would clearly go beyond the aims of this study, as it would demand an individual analysis of the numerous treaties concluded under the auspices of the League.<sup>10a</sup> It must therefore suffice to indicate briefly the kind of influence that stemmed from these tasks.

(i) The Secretariat played a considerable part, especially in later years, in the shaping of international conventions drawn up under the auspices of the League. The nature of this influence has been described for the benefit of this study in the following note supplied by Mr. Duncan Hall, secretary of the Drug Limitation Conference and author of the League's official commentary upon the convention:

The extent to which an international Conference contributed to the development of international legislation and administration depended in no small measure on the ability of the permanent Secretariat of the League to gear the Conference to past experience and use it as a basis for fresh progress.

The influence of the Secretariat in such a Conference depended largely upon the importance of its contribution to the actual work of the Conference in the shape of preparatory technical work. The Drugs Limitation Conference of 1931 was a good example. The Secretariat laid clear the foundations for the new convention by unravelling for the first time the statistical tangles which had so far baffled all experts, thus giving the fifty-six governments represented the first authoritative statistical balance sheet of world requirements and supply. The influence thus secured with the Conference enabled the Secretariat to reach an objective which it had set for itself deliberately before the Conference began.

The objective was to intermesh the permanent machinery of the League into the machinery of the new Convention. This was done by two devices: 1) the assignment at every possible point in the convention of each international adminis-

<sup>10a</sup> The tasks incumbent upon the League as a consequence of multipartite instruments have been very ably digested and annotated by Mr. Hugh McKinnon Wood, a former member and for some time Director of the Legal Section of the Secretariat, in *Powers and Duties Attributed to the League of Nations by International Treaties*, L.N. Document C.3.M.3.1944.V.

trative function specifically to the Secretary-General and to the appropriate League technical organ; 2) the incorporation in legal form in the convention of all practical expedients which the League had developed as a means of carrying out its task under the Covenant of supervising traffic in dangerous drugs. Action in each case was of course taken by Government delegates.

Immediately after the Conference (July 1931), a memorandum describing the aim set by the Secretariat and its achievement was prepared for the Secretary-General, and was circulated by him to all the Sections of the Secretariat. The memorandum suggested that in the case of all international Conventions negotiated under the auspices of the League whatever steps possible should be taken by the Secretariat to ensure that the League — Council, Assembly, Court, Technical organs and Secretariat — should become the executive machinery of the Convention or at least be made an integral part of it.

In evaluating the above example it must be realized that the part played by the Secretariat in this instance was exceptional. It may be doubted whether officials were always equally conscious of the potentialities of their strategic position or equally willing to engage the Secretariat, as suggested by Mr. Hall's description, in a deliberate policy. Moreover, it must be realized that the League's activities in the field of drug control were more thoroughly "depoliticized" by 1930 than any of its other functions, perhaps with the sole exception of its work pertaining to the fight against traffic in women and children. Any schemes the Secretariat elaborated in these fields of operation invariably met with a favorable response on the part of the governments, or were of such a nature that governments hesitated to appear tepid or obstructive on the international scene. The instance of the Secretariat's rôle in the shaping of the drug conventions must therefore be considered not so much typical of the degree of influence exercised by the administration as it was illustrative of the kind of rôle the Secretariat could play, with the consent or cooperation of governments, under particularly favorable circumstances.

(ii) A considerable number of compacts entrusted the Council with nominating arbitrators, or required the Secretary-General to render assistance to conciliation commissions. Moreover, the League was often charged with appointing High Commissioners or presidents or other officers of conferences. While the Council made the appointments and bore the responsibilities, the actual choice of the persons fell by and large upon the Secretariat, thereby lending it a good deal of indirect influence and responsibility.

(iii) The follow-up work resulting from the adoption of League conventions by an *ad hoc* conference entailed a great many tasks, apart

from the purely technical duties of establishing the texts and issuing the documents. The Secretariat assumed, by precedent and usage, an important rôle in assuring and speeding up the coming into force of international compacts. The administration did not attempt, as a general rule, to infringe upon the liberty of governments in the execution of their international duties but it felt entitled to work, openly though unofficially, for the ratification of conventions signed by individual countries, and even to attempt to induce governments who had abstained from signing or acceding to League conventions to become parties to them. Steps undertaken in this direction consisted chiefly of oral reminders: the Secretary-General or one or the other high official of the Secretariat might avail himself of the presence in Geneva of a foreign minister or high dignitary of a country to draw his attention to the fact that the country in question had failed to ratify a treaty signed by its representative; or he might stress the importance attributed to the accession of his country to a specific convention.

Moreover, senior officials of the Secretariat might be charged with the duty, while in their respective home countries or on mission to any country member of the League, of explaining to some statesman or high official the special importance attributed at Geneva to the accession by that particular country to a specific convention.<sup>11</sup> These steps were the limit to which the Secretariat was prepared to go in entrusting officials with initiative steps instead of working through national representatives and delegates. The experience of twenty years proves that the League members themselves considered unofficial *démarches* of this kind as permissible and legitimate.

### 3. LIMITATIONS AND INHERENT DANGERS

In conclusion, it may be stated that the rôle of international officials must not be overestimated in spite of the importance it possessed in the smooth operation of the League system. Apart from their technical contribution to the efficiency of the international administration, and to the coordination of the activities of the League, they were chiefly con-

<sup>11</sup> In cases of this kind the Legal Section furnished the official with a list of the conventions signed but not ratified by the country in question. Dr. Francis O. Wilcox points out that, in addition, "telegrams and letters were sent to influential persons, who then brought pressure to bear on home governments. . . . In general it was realized that before governments would act it was necessary to convince certain individuals of the importance of the movement." *The Ratification of International Conventions; A Study of the Relationship of the Ratification Process to the Development of International Legislation* (London: George Allen & Unwin, Ltd., [1935], p. 140.

cerned with exploring possibilities and pointing out solutions. It was their function to test the terrain, to suggest what the representatives of the States themselves would have voiced had they been as cognizant as the officials were of the possibilities of consultation and action inherent in a given situation or in the terms of reference of conferences and committees. Only suggestions that preexisted in the minds of governmental representatives, that could be agreed upon by all, had, in the last resort, any chance of becoming part of the program of action of the League.

Secretariat policy — if it is at all possible to speak of such a policy after what has been said — could only become League policy to the extent to which it was taken up by a government and unanimously agreed upon or at least suffered by all others. There was no such thing as a government being tricked into action though it may be true that governments were sometimes prevailed upon or persuaded, not by the Secretariat, but by their fellow governments, especially the big powers, to accept policies to which they objected. The League official would have been a very big man indeed who could have induced unwilling chancelleries to yield to his suggestions. Attempts on the part of League officials to formulate policies were always considered improper by the administration and led sometimes to sanctions against these persons. Such sanctions would consist in the quiet transfer of the official to other duties rather than in any dramatic action. In justice it must be said, however, that cases in which League officials tried to make policy were rare and, when made, were seldom without justification in view of the broad knowledge of the problems involved usually possessed by them. But they may have been badly timed, dictated by too great a zeal, or they may have been too League-centered to be practical. The damage resulting to the League was nil.

More frequently it was the other way around. National representatives would approach League officials with requests for assistance or advice. So great was the confidence in the impartiality and competence of the League staff that League specialists were frequently consulted without regard to their nationality. In many cases actual policies have evolved from such discussions, but on these occasions the official fulfilled functions of a consulting engineer rather than of a policy-making executive. When in the thirties the governments availed themselves less and less of the good services of the League, the Secretariat had no power to compel them to change their policies and to return to Geneva instead of negotiating at Berchtesgaden, Godesberg, and Munich.

Finally, one aspect of the experience may be worth mentioning that has only been indirectly touched upon hitherto: League officials did not as a rule shape policies, but they played a rather important part in helping to smooth over difficulties, and in suggesting formulas — broad and vague enough — to bridge over opposing points of view. In this they acted within the spirit and letter of the League's charter, which regards the League essentially as an organ of consultation and conciliation. In the light of subsequent developments, the question forces itself upon the student of international affairs whether this continuous effort to find what the French call *formules contractuelles*, formulas of agreement, was a sound principle and, from a long-range point of view, a constructive contribution to peace and collaboration. By veiling differences, these efforts created in the mind of the public, and often also in that of the statesmen, the impression that a greater consensus of opinion existed than had actually been reached. Deception, diplomatic reversals, and unpreparedness were often the consequence of such patched-up agreements. The question may therefore be legitimately asked whether less diplomatic skill and more plain speaking, the frank acknowledgment of differences, open confession of the inability to come to an agreement, might not have led to a better recognition of the mounting dangers. This raises an important problem of international cooperation in general. An attempt to answer it satisfactorily, if an answer is possible at all, would clearly fall outside the scope of a study exclusively devoted to the administrative aspects of the League's activities, and will therefore not be attempted here.

## CHAPTER XXXII

### BACKGROUND AND INTERESTS

#### I. DIPLOMATIC INFILTRATION?

M. William Rappard once pointed out<sup>1</sup> that as a consequence of the original conception of the Secretariat the leading officials of the League were drawn at first not from the ranks of the national diplomatic services but deliberately from other walks of life; of the four Under Secretaries-General appointed in 1920, none was professionally a diplomat. Writing in 1927, he adds: "Today, three out of four of them are." This departure from original policies did not continue, however, and was by no means typical. In 1938, none of the highest officers was a professional diplomat though the Legal Adviser (Argentina) had been attached to his country's foreign office, and the Deputy (Eire) and one of the Under Secretaries-General (U.S.S.R.) had held diplomatic posts prior to joining the Secretariat. Of the eight Directors in 1920, none was a diplomatist; of the eleven (including an official "with rank of" director) in 1938, two may be classified as such. Of the Members of Section and persons of equivalent rank serving in 1920, only two were diplomats; of those serving in 1930, twelve; in 1938, eleven. The proportion of persons who had served in a diplomatic capacity or were foreign service officers thus never reached 10 per cent of the First Division. These figures should dispose once and for all of the myth that the Secretariat of the League has been a kind of *dependency* of the foreign offices of the member States. The number of diplomats, exceedingly small in the beginning, increased to a certain extent in the twenties, the movement reaching its peak when Italy, Japan, and Germany belonged to the League.

The situation varied according to nationalities. The first Secretary-General was for many years the only full-fledged British diplomat. His closest collaborator, Mr. Walters, possessed some diplomatic training. He had been private secretary to Lord Balfour and Lord Robert Cecil; but he had not been a member of the British Foreign Service. Not a single Frenchman, with the sole exception of a temporary junior secretary to M. Avenol, had been attached to the French diplomatic service. But of the twelve Germans serving as First Division officials in the

<sup>1</sup> "The Evolution of the League of Nations," *op. cit.*, p. 814.

Secretariat in 1929, four had been in the service of the Wilhelmstrasse. The situation was similar in the Italian camp, and two of the four Japanese serving in 1930 were diplomats. The other former diplomats serving in the Secretariat in 1938 belonged to the following nations: Colombia, Czechoslovakia, Denmark, Iran, Norway, Poland, Rumania, Sweden, Switzerland, and Uruguay.

Diplomats from major countries joined the Secretariat as a rule, not on their own initiative, as their national foreign service offered them more attractive possibilities in every respect, but almost exclusively under pressure from their foreign offices. This was also true with regard to the medium-sized countries. Only to foreign service officers of the smallest countries did League service offer attractive possibilities, as the prevalence of diplomats from among States of this type suggests.

Diplomats were more or less concentrated in the Political Section, especially after 1938. Of the ten members serving in that Section, five were former diplomats, constituting about half the number of diplomats serving in the Secretariat. It is significant, however, that neither the British nor the French member of that Section came from the *carrière*. The other diplomatists were found in the following sections: Information (one), Minorities (two), Mandates (one), and Intellectual Cooperation (one).

There is no indication whatsoever that the League in recruiting officials gave preference to diplomatic candidates. To this statement there is one outstanding exception: A Swedish diplomat with humanitarian inclinations was appointed Director of the combined Social Questions and Opium Traffic Section, as successor to Dame Rachel M. Crowdy, instead of one of the professional social workers whose candidature had been proposed. Diplomatic skill was considered more important in this case than technical proficiency.

It is nevertheless true that there was in the Secretariat of the League of Nations a diplomatic or rather foreign-office atmosphere. The daily routine of the officials necessitated contacts with diplomatic representatives and the permanent delegates accredited to the League. On missions at home or in other countries one of the first steps undertaken by officials was to get in touch with the foreign office. Moreover, a good deal of the social life of the officials was diplomatic. The enjoyment of diplomatic rights and immunities, the possession of diplomatic passports, the C.D. (Corps Diplomatique) affixed to the license plate of their cars — all this had a subtle but undeniable psychological effect upon members.

In later years, and especially after the outbreak of World War II, a significant reverse movement from the Secretariat into diplomacy set in. States apparently looked upon prolonged League service as an excellent qualification for diplomacy. On leaving the Secretariat, League officials who had previously been connected with the diplomatic services of their countries were entrusted with important diplomatic posts. A number of ambassadors accredited after 1940 to the Court of St. James had served in the League, and even among Axis representatives some former League officials appeared in conspicuous diplomatic positions.<sup>2</sup> Moreover, former League officials who had not in the past been attached to the diplomatic services of their countries were given diplomatic posts or were appointed to their foreign offices or departments of state. A Frenchman was appointed Ambassador at Washington; a Finnish member of the Economic Intelligence Service was accredited minister to Switzerland, and a junior German member of the Information Section was taken over by the Wilhelmstrasse. A Canadian woman made diplomatic history by becoming a First Secretary of the British Embassy at Washington — thereby becoming the first British woman with diplomatic rank — and a number of other officials, citizens of German-conquered countries, joined the diplomatic missions of their countries in London and Washington. An American, Mr. Benjamin Gerig, joined the Department of State and serves in a highly responsible position.

## 2. PROFESSIONAL COMPOSITION

A striking feature of the early Secretariat was the number of principal officers who had served in one or another capacity in the inter-Allied (civilian) bodies established in London or at the Peace Conference in Paris.<sup>3</sup> Of the eleven Under Secretaries-General and Directors serving in 1921, four — the English and French — and one of the two Italians, had been associated with these wartime agencies. A majority of the principal officers came from the academic professions, which provided the Secretariat in the first years with a disproportionately large number of officials: Of the three Under Secretaries-General serving in 1920, one had been professor of international law (Commandatore D. Anzilotti);

<sup>2</sup> For instance, Cecil von Renthe-Fink, a former member of the Political Section, served as Hitler's "personal representative," with the rank of ambassador, to Marshal Pétain in 1943-44; Ken Harada, a former Japanese League official, became the first Japanese envoy accredited to the Vatican, and Paulucci di Calboli Barone, Italian ambassador to Spain.

<sup>3</sup> See chapter on "Problems and Pains of Growth," *supra*, p. 247.

of the eight Directors, four had been university professors and a fifth, a Frenchman, had lectured at a German university. Public officials, lawyers, etc., comprised the other categories.

In subsequent years a change occurred. Fewer and fewer members of the staff were drawn from the chairs of the universities of the member States, and more and more from other professions. It is not possible to classify the members of the First Division of the year 1938 according to their professional backgrounds without access to their personal files. But personal knowledge concerning most of those serving in that year permits fairly accurate grouping. The fact that the majority of the members of the First Division when recruited were about thirty years old<sup>4</sup> indicated that they had had a definite professional career prior to joining the League. Only about 10 per cent of First Division officials joined the Secretariat immediately or shortly after completing their academic studies. Grouped according to percentage, the remaining members of the First Division were distributed as follows:

	Per cent
Officials, exclusive of diplomatic officials and foreign service officers	25 <sup>4</sup>
Members of the legal profession . . . . .	20
Journalists and publicists . . . . .	12
Academic teachers . . . . .	12
Medical practitioners and public health specialists . . . . .	10
Diplomatists and persons previously employed in semidiplomatic functions (commercial or press attachés, mixed commissions, etc.)	8
Professional soldiers . . . . .	3
Other professions . . . . .	10
	<hr/> 100

Although these percentage figures are not claimed to be statistically accurate, they convey an approximately correct idea of the professional composition of the Secretariat. Thus no single profession dominated the League Secretariat. Members of the legal profession and professional civil servants, including foreign service officers, balanced each other; together they had a slight edge over the other vocations. The high percentage of former journalists was a special feature of the Secretariat and has no analogy in any other European administration, apart from specialized press services or propaganda offices. This was due to the fact that the Information Section was for many years one of the largest

<sup>4</sup> See section on "Age Distribution within the Secretariat," *supra*, pp. 345-47.

<sup>5</sup> In 1923, Mr. Bernhard von Bülow estimated that only about 10 per cent of the members of the First Division could be properly classified as former national officials. *Der Versailler Völkerbund; Eine vorläufige Bilanz* (Berlin, etc.: W. Kohlhammer Verlag, 1923), p. 114 n.

units within the Secretariat and served, up to a point, as a *cadre* from which other services were supplied with members. The all-round adaptability of journalists and their flair for international questions facilitated such transfers. The professional background of the Secretariat was thus more varied than in most national administrations. It constituted a judicious blend of bureaucratic and non-bureaucratic elements which gave the services of the Secretariat, in spite of tendencies toward bureaucratization, inevitable in any administration, that elasticity which was one of its outstanding characteristics.

The professional composition shown above does not, however, tell the full story about the professional training and background of the officials. The table suggests a comparably high percentage of former members of the legal profession but it does not actually indicate the true proportion. Probably about 75 to 80 per cent of all members of the First Division had studied law, whatever their subsequent career. This was due to the continental European tradition which regards legal training and some legal experience as the best basis for successful professional activities in almost every field of human endeavor. As a matter of fact, most continental Europeans who do not specialize in medicine, engineering, forestry, or humanistic studies, traditionally study law, sometimes in combination with political economy. A law degree leads to almost anything: business, civil service, the legal profession, and academic appointments. Most European administrations demand or prefer a law degree as one of the educational requirements for recruitment into the higher civil service brackets. Practically all continental European and Latin American diplomats and foreign service officers have a degree in law. Only in Great Britain is the situation somewhat different, where a great percentage of the administrative class, especially those hailing from Oxford, have graduated in classical studies.<sup>6</sup> If the Anglo-Saxon officials were omitted, the percentage of League officials of the First Division who had studied law would therefore not be around 80 per cent but nearer 90 per cent.

### 3. SOCIAL HIERARCHIES, TITLES, POLITICAL ALLEGIANCE

Insight into social backgrounds would be of interest in demonstrating how far the democratic origins of the League were reflected in its per-

<sup>6</sup> Apart from historical reasons, this is due to the over-all concept of higher civil service qualifications prevailing in England. The classical education is considered to produce the type of mind and background believed to be most useful for the higher official rather than specialized training or expert knowledge, which is traditionally considered a drawback by the British Civil Service heads. See Stout, *op. cit.*, pp. 80 ff.

sonnel as compared with other, especially European, ministerial administrations. Unfortunately, source material in this respect is scarce. It may be safely said, however, that most officials in the higher administrative brackets came from the upper strata of the European middle class. They originated from formerly prosperous professional or civil service families, many of which had lost their fortunes during the period of inflation that in the majority of European countries accompanied the end of World War I. This meant that most officials were dependent upon their salaries for a living. There was a sprinkling of men and women of aristocratic descent among the British, mostly second and third sons and daughters without titles. Among the continental Europeans there was a small percentage of aristocrats. These belonged for the most part not to the old aristocracy but to the military and civil service nobility, i.e., they were descendants of middle-class families whose grandfathers or ancestors had been ennobled for meritorious services as soldiers or civil servants. Even among the Germans appointed in 1926 to the Secretariat, only four were entitled to prefix *von* to their names. A number of persons in the Secretariat who possessed titles of nobility refrained from using them at Geneva.

The social composition of the higher administrative brackets was thus fairly homogeneous; it corresponded essentially to that found in the interwar period in most of the ministerial administrations of Europe. There was no class snobbery, and no religious discrimination or racial prejudice.<sup>1</sup> The officials considered themselves part of one body that imposed on them a certain common attitude toward life and common social standards and habits in spite of their national differences. League officials in the higher administrative brackets certainly did not conform to any uniform type. But one is probably justified in stating that preference was given, by those in charge of selecting personnel, to the Anglo-Saxon model of the "boyish master," rather than to the traditional continental type of the formal and dignified mandarin.

A special feature of the Secretariat as compared with other public administrations was the higher educational and social level of the overwhelmingly feminine Second Division. This applied particularly to the British contingent. The reasons were manifold: The lure of the League service and the high salaries attracted impoverished members of society to Geneva. Work in the Second Division enabled them to put their knowledge of languages, otherwise scarcely marketable, to good use.

<sup>1</sup> About half of the officials were Catholics, including the two Secretaries-General. About 3 per cent belonged to the Jewish faith.

This resulted in an absence of traditional social barriers between officials of the different staff categories which startled Europeans and Latin Americans not accustomed to seeing higher and lower officials meet socially as equals. Frequent marriages, especially in the beginning, between members of the First and the Second Divisions, were another consequence. In the case of such inservice marriages, both partners often continued to work though not in the same section or service.

In accordance with British and French custom and contrary to central and southeastern European habits, academic titles were not used as a rule, officially or privately. However, military titles, of and above the rank of captain, long figured, curiously enough, on staff lists and in Secretariat usage. The British Assistant to the Secretary-General was called Captain as late as 1930. After 1932-33, only those military titles survived which were borne by active officers temporarily working in the Disarmament Section and by a single British Member of Section who had been a professional soldier in his youth.

Most officials were of course in sympathy with one or the other political party at home, but few among the older officials were partisans or even party members. Some purposely dropped party affiliations when joining the Secretariat in order to be free from national bonds and from any suspicion of party prejudices within their nation. They felt that a known affiliation with any party might prove a handicap in their liaison work at home or in any mission entrusted to them by the Secretary-General.

It came therefore as a shock to their colleagues when shortly after the appointment of the Fascist Under Secretary-General, Paulucci di Calboli Barone, some of the Italians arrived in the Secretariat with the *Fascio*, the sign of membership in the Fascist Party, in their buttonhole. Action on the part of the Secretary-General was precluded because the new Fascist Under Secretary-General himself wore the party insignia. Paulucci's successor, the eminent jurist Pilotti, abandoned the practice of wearing the party label, and most of the Italian officials followed suit; but this episode left a permanent impression upon the staff. It was one of many signs that the advent of autocratic governments was threatening the homogeneity of the administration at the core.

#### 4. LITERARY ACTIVITIES

Public and political activities of League officials being strictly prohibited, some League officials embarked on or continued careers in

*belles lettres*. A number of officials achieved considerable success in their own countries. G. P. Dennis, a Member of Section, during his stay in the League produced a number of books considered major literary achievements by the most discerning English critics. Knowledge of his literary fame would not have reached the bulk of his colleagues of other nationalities, however, had not a book entitled *Coronation Commentary*, written on the occasion of the ascent of Edward VIII to the throne, led to a resounding semiliterary, semipolitical scandal which shook the peaceful premises of the Secretariat and interrupted the author's League service, which had been long and quite distinguished. Two other Britishers, the late J. Palmer and St. George Saunders, well known in America as the author of the official British book on *Combined Operations*, working as a literary team, published under the pseudonym of Francis Beeding numerous high-class detective stories which found an audience all over the English-speaking world. Some of these stories possessed a special topical interest for their colleagues, as Geneva and League gatherings had been chosen as the background for murders and the activities of sleuths. Other officials engaged in purely scientific studies (semantics, constitutional and international law) and received permission to publish their works under their own names. The administration looked benevolently upon such honorable efforts or hobbies but it was less pleased with the literary activities of another highly gifted member of the Secretariat, some of whose numerous books and articles, published under various pseudonyms, still hold a distinguished place in the literature concerning the League. In later years this official engaged with increasing acerbity in criticism of the League administration.<sup>8</sup>

In order to be appreciated correctly these facts must be viewed against the background of the Geneva scene. An attempt to show the rôle of the town in which the League had its headquarters and the influence which it exercised upon the work and psychology of the Secretariat will be made in the following chapter of this book.

<sup>8</sup> Roth Williams, *The League of Nations To-day* (London: George Allen & Unwin, Ltd., 1923), and C. Howard-Ellis, *The Origin, Structure & Working of the League of Nations* (London: George Allen & Unwin, 1928). In order to facilitate identification of the real author, "Mr. Howard-Ellis," in an introduction, thanked his other pseudonym, "Mr. Roth Williams," — "without whose constant aid it is no exaggeration to say this book would never have been written." Everybody knew that both books were written by Mr. K. Z., Member of Section.

## CHAPTER XXXIII

### THE CAPITAL OF THE LEAGUE—FROM THE SECRETARIAT ANGLE

#### I. THE CHOICE OF GENEVA

Altho' your Geneva is but a point, as it were,  
on the globe, yet it has made itself the most  
interesting one, perhaps, on that globe.

THOMAS JEFFERSON to Marc Aug. Pictet  
of Geneva, December 26, 1820.<sup>1</sup>

The deliberations and moves preceding the choice of Geneva as seat of the League constitute one of the most dramatic chapters in the pre-history of the League and also one of the least explored. Sufficient material has now been made available to ensure an unprejudiced and fully documented picture of these events.<sup>2</sup> The discussions reflect *in nucleo* all the cleavages appearing immediately after the end of World War I.

The names of many cities were proposed during 1919 and at the beginning of 1920. Lausanne and Geneva were among the early ones; Aix-la-Chapelle was advocated by M. Benoist in a report on the historical clauses of the Peace Treaty submitted to the French Chamber; Constantinople was proposed by Major David Davies, M.P., in the *London Times*; Vienna and The Hague were frequently mentioned in letters to the editor of the *Westminster Gazette*.<sup>3</sup>

The Hague was suggested because of its association with the Peace Conferences of 1899 and 1907. A number of statesmen who desired to link the League with the arbitration treaties concluded at The Hague looked favorably upon the capital of the Netherlands. According to Colonel Bonsal, it was for this very reason that President Wilson opposed The Hague in the early discussions. Such a choice would, he believed, "revive memories none too happy of the Russian peace movement in the last century."<sup>4</sup> In a conversation with M. William Rappard, who represented the Swiss Government as an Observer at the Peace Conference, the President added another objection that weighed in his mind against the capital of the Netherlands. He had, he confessed, "certain objections to the capital of a monarchy."<sup>5</sup> Vienna's

<sup>1</sup> Quoted by Rappard, *Uniting Europe*, p. 231.

<sup>2</sup> See chapter on "The Headquarters," *supra*, pp. 231-33.

<sup>3</sup> Kluyver, *op. cit.*, p. 279 n.

<sup>4</sup> Bonsal, *op. cit.*, p. 169.

<sup>5</sup> Rappard, *Uniting Europe*, p. 235.

candidacy was supported by the argument that there were "empty palaces and residences galore which would furnish splendid and immediate accommodations for the League." It was ruled out for political reasons: "Vienna and its future is in hot dispute."<sup>6</sup> The claim for Brussels was more substantial. It was strongly urged by the Belgian representative, M. Hymans, who at the meeting of February 5, 1919, of the League of Nations Commission, conveyed "the great desire of the Belgian Government and a large number of Belgian organisations that Brussels should be the seat of the League."<sup>7</sup> At the meeting of the League Commission on March 26, M. Hymans made his "third and fourth"<sup>8</sup> plea for Brussels. In a memorandum concerning the seat of the League, dated March 31, 1919, the Belgian Government set out systematically to state the case for Brussels. It claimed that "for many years Belgium had been one of the most active centers of international, intellectual, juridical and economical life." Brussels, according to that document, had witnessed since 1847 a long series of congresses and international meetings; 425 in less than sixty-five years. One hundred and eleven international associations had established their seat in that city. "Belgium has been in the war the symbol of violation of right."<sup>9</sup> It was this symbolic character of Belgium as a victim of aggression, as one of the chief sufferers of World War I, that finally turned the scales against her in the minds of the American and British delegates. These statesmen wanted to make the League the great redeemer, the starting-point for a new international life, and they feared that the innumerable memories of war and suffering would make Brussels an unsuitable "capital of the League."

The attention of the draftsmen of the Covenant turned now more and more toward Switzerland. Already, on February 21, 1919, Mr. David Hunter Miller had told M. William Rappard, the official Swiss observer in Paris, "that the sentiment was favorable toward Geneva as the seat of the League."<sup>10</sup> The idea met with strong doubts, however, because of Switzerland's neutrality. Strong apprehension was felt on this point, especially among the French. They were shared by some members of the United States delegation. An example is afforded by a conversation which took place between M. Rappard, Lord Cecil, and Mr. David Hunter Miller. According to an entry in his diary, dated

<sup>6</sup> Bonsal, *op. cit.*, p. 169.

<sup>7</sup> Miller, *My Diary of the Conference of Paris*, Vol. V, Document 327 (Notes of Mr. Shepardson), p. 104.

<sup>8</sup> Bonsal, *op. cit.*, p. 147.

<sup>9</sup> Miller, *My Diary at the Conference of Paris*, Vol. VIII, Document 761, p. 264.

<sup>10</sup> *Ibid.*, Vol. I, p. 129.

April 2, Mr. Miller "spoke with very great frankness" about Swiss neutrality. He suggested that in his opinion "the obligation of the Powers to guarantee Swiss neutrality was inconsistent with the League of Nations Covenant and accordingly would be an obligation which they would have to attempt to withdraw from. Rappard spoke of the political consequences in Switzerland of the abandonment of neutrality."<sup>11</sup>

The apprehensions felt among the drafters of the Covenant were not lessened by the constant Swiss insistence on the implications of Swiss neutrality, but in subsequent discussions the opinion gained the upper hand that Swiss neutrality and Swiss membership in the League would not be incompatible.<sup>12</sup> The chief opposition came, and continued to come, from the French. Their representatives maintained that the neutrality of Switzerland "did not harmonize with this choice and would nullify it."<sup>13</sup> But they never put their vote on record against Switzerland. On March 23, Colonel Bonsal noted that "The British are now all in favor of Geneva. While further consideration was postponed, it is evident to all that the question is settled. Geneva is to have a rebirth as the seat of the Parliament of Man."<sup>14</sup>

President Wilson had been strongly in favor of Geneva for some time. The establishment of the International Red Cross in that city and its activities, which had transcended the hatreds and enmities of the bloodiest war in history, had made Geneva in his mind, and in that of millions all over the world, a symbol of international cooperation. The neutrality maintained by Switzerland during the four years of war was also a factor in the eyes of President Wilson recommending a Swiss city as the seat of the international agency. In a conversation with M. Rappard the President added that he was in favor of Geneva also "on account of my Presbyterianism."<sup>15</sup>

At the Fourteenth meeting of the League of Nations Committee, held on April 10, 1919, Lord Robert Cecil dwelt upon the importance of the fact "that the world should be inspired with a belief in the absolute impartiality of the League." He added that "impartiality and not the preservation of the glorious memories of the war was the object of the

<sup>11</sup> Miller, *ibid.*, p. 218.

<sup>12</sup> A full account of the discussions on the problems raised by Swiss neutrality, particularly in regard to the passage of international military forces through Swiss territory and to the stipulations of Article XVI of the Covenant, will be found in Morley, *op. cit.*, pp. 142-48. For a personal account of some of these deliberations, see Rappard, *Uniting Europe*, pp. 229-45. See also Miller, *My Diary at the Conference of Paris*, Vol. I, and *The Drafting of the Covenant*, Vol. I, Chap. 31.

<sup>13</sup> Bonsal, *op. cit.*, p. 147.

<sup>14</sup> *Ibid.*, p. 145.

<sup>15</sup> Quoted in Rappard, *Uniting Europe*, p. 235.

League." In a similar vein President Wilson added that the question was one "of finding the best surroundings for international deliberation. . . . We should not obtain this result if we chose a town where the memory of this war would prevent impartial discussion." <sup>16</sup>

In the subsequent vote twelve out of nineteen members of the League of Nations Commission voted in favor of Geneva, seven abstaining. Thereupon, Geneva was inserted in the draft as the seat of the League. The point was thus settled as far as the text of the Covenant was concerned, but the question was by no means decided from a practical point of view, and doubts whether the League would actually settle down at Geneva subsisted until deep into the summer of 1920.<sup>17</sup>

Contrary to the desires of the President, the Council at its fifth session held in Rome, on May 19, 1920, unanimously adopted a resolution requesting him to convoke the Assembly at Brussels. According to Article III, paragraph 2, of the Covenant, the Assembly was to meet "at the Seat of the League" unless otherwise decided upon. Under the given circumstances, the wish to meet elsewhere than at Geneva justified fears that a serious attempt might be made there to transfer the seat of the League to Brussels. It seemed not impossible that the Council, which had unanimously voted in favor of Brussels as the meeting place of the First Assembly, might avail itself of the right to change the seat of the League to Brussels in the absence of American representatives.<sup>18</sup> The British, while in favor of Geneva, did not feel strong enough on this point to be inclined to oppose the other members.

An interesting sidelight is shed upon a situation that arose in July, 1920, more than a year after the adoption of the Covenant by the Peace Conference, by two heretofore unpublished minutes of the Secretary-General, both dated July 2, 1920. They reflect the behind-the-scene movements preceding the definite settlement of the question.

Alarmed by rumors that the holding of the First Assembly at Brussels might be a forerunner of a permanent establishment of the League Secretariat in Belgium, the Swiss Government had taken the somewhat unusual step of informing President Wilson of its feeling in the matter. This increased the President's apprehensions that his wishes might be disregarded by the Council, and he charged the American

<sup>16</sup> Quoted by Rappard, *Uniting Europe*, pp. 239-40.

<sup>17</sup> Rappard (*ibid.*) has given a full account of some of the aspects of the intrigue that developed to abandon the decision reached at Paris under the influence of President Wilson when it became clear that the United States would not join the League.

<sup>18</sup> According to paragraph 2 of Article VII of the Covenant, the Council was entitled to decide at any time "that the Seat of the League shall be established elsewhere."

Ambassador in London to approach Sir Eric Drummond. But before the American Ambassador could see the Secretary-General, the Swiss Minister in London visited Sir Eric Drummond, who found himself in a highly embarrassing position between the opposite views of the President and the Council. In his conversation with the Swiss Minister, Sir Eric pointed out that it was unfortunate that "the Swiss Government had made representations to the President in a sense contrary to the unanimous opinion of the Council."

Carrying out the instructions of President Wilson, the American Ambassador visited the Secretary-General. He had been directed to point out "firmly but discreetly" that the President was strongly in favor of Geneva as the first meeting place of the Assembly. The President felt it within his rights to convoke the meeting at such a place as he thought fit "but would not like to do so in contravention to the desires of several of the chief members of the Council." Sir Eric replied that Brussels was a more convenient railway, telegraphic, and postal center at that time. The point, he stated, had purposely not been stressed in a previous communication to the President in order to allay "the President's fear that for this reason a change of the seat of the League to Brussels might be in contemplation." In a telegram addressed on the same day to the President, the Secretary-General therefore inserted a phrase stating "that the question of change of the seat of the League had never been even mooted at any Council meeting." This did not, however, relieve the fears entertained by the President, who was aware that no official attempt had been made in this direction. On July 17, 1920, President Wilson sent a cable to the Secretary-General summoning the First Assembly to "the city of Geneva, the seat of the League."<sup>19</sup>

But the matter did not rest there. Powerful influences, especially in Paris, were brought to bear against the choice of Geneva, and these influences became stronger and stronger in proportion to the difficulties President Wilson encountered regarding the participation of the United States. The ratification of the Peace Treaty was rejected in November, 1919, and March, 1920, and the impending end of President Wilson's second term accentuated the inclination to override his wishes.

A last-minute move to establish the League after all at Brussels was foiled by a brilliant tactical maneuver on the part of M. Albert Thomas, the Director of the ILO, according to a circumstantial account given

<sup>19</sup> Quoted by Rappard, *Uniting Europe*, pp. 242-43

by Mr. Edward J. Phelan, to whom must be left the responsibility for the facts and their evaluation. When the Council had decided to hold the first Assembly in Brussels, the impression was strong that "there the Secretariat would temporarily settle. Brussels would be found a convenient centre because of its proximity to Paris and London. The *provisoire* would become the *éternel*." M. Thomas therefore decided to force the issue before a new move in favor of Brussels could crystallize. The question had great importance for him in view of the decision to establish the headquarters of the two organizations at the same place. The situation was moreover complicated by the fact that the ILO had acquired an option on premises in Geneva which was about to expire.<sup>20</sup> M. Thomas put the matter squarely before the Governing Body of the ILO, as was his habit regarding all major questions of policy. He mentioned particularly the fact that a transfer to Brussels might create additional difficulties for the future participation of Germany in the League, and asked "*whether this change of seat will not alienate a certain number of Powers who had seen in the fixing of the seat in Geneva a proof of a genuine desire for impartiality.*"<sup>21</sup> The Governing Body, under the influence of M. Thomas' pleading, therefore decided "to establish the seat of the Office at Geneva as stated in the Treaty of Peace." Little known as this episode is, it no doubt played an important part in preventing any attempt to modify the text of the Covenant.

On August 5, 1920, the Council, under the authority of Article VII of the Covenant, resolved to instal the League as soon as possible at Geneva "since this would result in the unification of its work, and would also lead to considerable saving of expense."

## 2. APPRAISAL FROM A TECHNICAL VIEWPOINT

Whether the choice of Geneva as the seat of the League was wise from a political point of view cannot be fully discussed in a study exclusively dedicated to administrative aspects. But the influence of the location upon the proper functioning of the administrative machinery can and must be examined. Reasons which in the past made such an examination inadvisable are no longer valid.

From a technical point of view the location of the League in Switzerland was as satisfactory as any place could possibly have been. The liberal granting of extraterritorial rights to the League and of diplomatic

<sup>20</sup> Phelan, *Yes and Albert Thomas*, pp. 76-81, at p. 79.

<sup>21</sup> Quoted by Phelan, *ibid.*, p. 80. *Italics in original.*

immunities and privileges to its officials by Switzerland, together with the latter's equally liberal interpretation of these rights and privileges, must be given first place on the credit side.<sup>22</sup> This had been taken so much for granted in the interwar period that the alternative of a less satisfactory arrangement was hardly ever envisaged.

Next in importance, and in some respects even more important from the point of view of the technical functioning of the League, was the contribution rendered to the efficiency of its administration by the Swiss postal and telegraphic authorities, who were ever ready to meet unprecedented and unorthodox demands of the international organization. Homage must be paid to the efficiency of these services, which sometimes reached truly fantastic dimensions. This was not the case at the beginning of League administration. In the middle twenties, Mr. Howard-Ellis expressed the opinion that communications by telephone, telegraph, and wireless were defective.<sup>23</sup> He pointed out that in December, 1927, the press registered an official complaint which led to a resolution of the League Council. Whatever the initial difficulties may have been, in later years the facilities were as nearly ideal as anywhere in the world.

The situation was less satisfactory regarding communications by rail and air. This was attributed by Mr. Howard-Ellis to the existing rivalry between the French and Swiss railway administrations and to the reluctance of Berne "to provide for the aggrandizement of its rival, Geneva, by direct and fast communications either with Germany, East Europe or Italy."<sup>24</sup> A similar condition existed with respect to air communications. Most of these difficulties were solved in the course of time.

Minor difficulties arose, especially in the twenties, from the strained relations between the Soviet Union and Switzerland following the murder of Vorovsky, the Soviet envoy to the Lausanne Conference in 1923. This led to an open rupture between Soviet Russia and Switzerland that lasted until 1927. During these years the Swiss Federal authorities "refused to allow a representative of the Soviet Telegraph Agency to be stationed permanently in Geneva, thus taking it upon themselves to censor the relations between the World Press and the League."<sup>25</sup> But difficulties of this kind were satisfactorily settled by the Federal authorities, sometimes in the face of a hostile Swiss public opinion opposed to any concession to Moscow.

<sup>22</sup> See chapter on "Special Rights and Prohibitions," *supra*, pp. 265-67.

<sup>23</sup> *Op. cit.*, p. 166.

<sup>24</sup> *Ibid.*, p. 167.

<sup>25</sup> *Ibid.*, p. 169 n.

These efforts reflected the good-will, cooperation, and understanding of the Swiss Federal authorities, which did much to facilitate the activities of the League with respect to all technical matters. The accent is on *technical*, for Swiss neutrality posed serious problems in connection with the political activities of the League, especially in regard to the action of the League under Article XVI, consideration of which lies outside the scope of the present study. It must suffice to say that on the whole the extritoriality of the League was scrupulously respected by the Swiss authorities.<sup>20</sup> But from 1938 on, increasingly strong pressure was exerted by Berlin upon the Swiss Government, which created serious dilemmas for Berne. Had the powers tried to utilize the League at the height of the crisis instead of eliminating it as a political factor, Swiss neutrality would have become a major problem after the outbreak of World War II and would have prevented the Secretariat from fulfilling its duties at Geneva.

### 3. LOCAL SITUATION — INTERNATIONAL TRADITION

The local situation at Geneva, seat of a cantonal government, was satisfactory from an official point of view. Cantonal and city authorities were always more than correct in their attitude toward the League and often went out of their way to meet the needs and wishes of League authorities. The housing situation compared favorably with that of any other place in Europe, indeed with that anywhere in the interwar period. Hotel accommodations for delegates, experts, journalists, and observers were available at all levels of comfort — an important element in the appraisal of the suitability of a place for the establishment of an international center.

It is not sufficiently realized that climate is another cardinal factor in appraising the suitability of a place for the headquarters of an international organization. The climate must strike a medium so as to make it acceptable for delegates coming from countries with the most varied climatic conditions and must allow for an uninterrupted and unimpeded activity throughout the year. The climate of Geneva was sometimes trying, especially in winter. But weeks during which the black *bise* made life almost unbearable alternated with months when the Geneva climate compared favorably with some of the most famous tourist places in the temperate zone. During these months the natural setting of the city created a unique atmosphere. The lake, the towering

<sup>20</sup> See chapter on "The Headquarters," *supra*, pp. 233-35.

mass of nearby Mount Salève, the friendly silhouette of the green Jura mountains, and the majestic dome of Mont Blanc visible on clear days, created an ensemble of cold and austere, at times almost painful, beauty. The architectural design of the city had been marred in the last decades of the nineteenth and at the beginning of the twentieth century by the erection of thousands of utilitarian structures — apartment houses, shops, and office buildings — to such an extent in fact that an American journalist of many years' residence, jestingly compared Geneva to "a potato in a jewel box." There remained, however, on the hill overlooking the lake and city proper, the old town — spreading around the historic cathedral. The *cité* was of almost unspoiled beauty, filled with historical reminiscences, haunted by the ghosts of stern religious leaders of past centuries and of the heroes who had fallen in its defense.

Geneva was well equipped as a sports center. An old established Anglo-Saxon colony had provided the newcomers with a magnificent golf course. There were, in addition, many tennis courts; and swimming in the lake during the summer was possible almost daily. In the winter, skiing in Swiss and French sport centers was within week-end range. To the resident who desired to escape the security and monotony of life in Geneva, nearby resorts in French Savoy were within easy reach by automobile. Venice and the Italian lakes, Paris and the *Côte d'Azur*, required only one night's train journey.

The international tradition of Geneva was another point which counted in her favor. The rôle of the International Red Cross in drawing the attention of statesmen to this city has already been mentioned. Moreover, a number of international semiofficial and private organizations had long since chosen Geneva as seat of their headquarters, for example, the Interparliamentary Union. After the transfer of the League to Geneva numerous other international secretariats of semi-official and private organizations settled around this nucleus. Most of them drew their inspiration from the League ideal or acted as observation posts, and in some cases as pressure groups, with respect to the League. In 1930, no less than thirty international bodies had their offices or headquarters in Geneva. Most of these institutions were housed, from 1937 on, in a unique international center, the old *Palais des Nations* on the Quai Wilson, which was put at their disposal on easy terms by the Swiss Confederation and the Canton of Geneva, joint owners of the building which formerly housed the League of Nations Secretariat.

An objective appraisal of the rôle of this outer ring of international activities must take cognizance of the fact that it gave encouragement to the work of the League and provided publicity for many of the League's activities. However, it also created not a few embarrassments to delegates and officials, who were often subject to a sort of lobbying on the part of the representatives of these organizations. While Geneva supplied the framework for their activities, their chief reason for being there was the League, and it is certain that the majority would transfer their activities to any other place chosen as seat of a future international agency.

The old established tradition of the University of Geneva as a rallying point of students from many countries of the world was another factor. It received a new impetus with the establishment of the League at Geneva. A post-graduate school for international law and international affairs, the *Geneva Graduate School of International Studies*, closely affiliated with the University of Geneva, was founded in 1926 with the support of the Swiss Confederation, the Canton of Geneva, and the Rockefeller Foundation. Its head was M. William Rappard, a former director of the Mandates Section of the League. Professor Mantoux, who had headed the Political Section, was one of the permanent members of the faculty. On the whole the relations between the Institute and the Secretariat of the League were not as close, however, as might have been expected in view of the purpose of this school and the character of the teaching staff of the Institute.

In 1930, there was organized in Geneva the *Geneva Research Center*, a private research agency which published a series of valuable publications and monographs on subjects related mainly to the activities of the League. Several institutes giving summer courses were a regular feature during the weeks preceding the annual Assembly of the League, chief among them being the *Geneva School of International Studies*, under the direction of Sir Alfred Zimmern, and the *Geneva Institute of International Relations*, conducted annually under the joint auspices of the American and British League of Nations societies. Special courses were also given by the *International Students Union*.

In the *Ecole Internationale*, linked by many personal and financial bonds to the international centers, Geneva possessed a unique institution, blending continental European with Anglo-American educational features. In an atmosphere corresponding to that prevailing in the international agencies themselves many children of international officials received here a polyglot schooling.

Most of the above-enumerated activities were sponsored, subsidized, or financed, and carried on by British and American institutions or individuals. They formed a ring of international interest and activity around the League and had a large share in producing that *esprit de Genève* which gave rise to so much learned analysis, criticism, and philosophical appraisal.<sup>27</sup>

#### 4. ADVERSE FACTORS

There were, on the other hand, some elements in the local situation that were less conducive to the smooth functioning of the International Secretariat. The headquarters operated in a small city; Geneva, with its 200,000-and-odd inhabitants, was provincial compared with other European cities of the same size. The fact that it was located in a remote corner of Switzerland, surrounded on three sides by a foreign country, had something to do with this. Calvinism, too, was a contributing factor.<sup>28</sup> It had made Geneva a sort of island in the center of Europe. Calvinist traditions had superimposed upon the French character of its original inhabitants a certain austerity more often encountered in Scottish towns than in cities of Continental Europe.

Unlike Berne and Zurich — to name only two other Swiss cities — Geneva had neither a theatrical repertory company nor opera. Its literary and artistic life was restricted, reflecting Parisian artistic fashions rather than the broad stream of European cultural life.

For the wives of the international officials, especially those from English-speaking countries, life in a provincial European city had unexpected consequences. Professional activities were considered inconsistent with the social standing of wives of "higher" officials, with the possible exception of the medical profession, artistic pursuits, and a very exclusive type of *haute couture*. In the special case of Geneva, money-earning activities by members of the officials' families were furthermore precluded by the fact that working permits were as a rule not granted to foreigners, with the exception of foreign domestic servants. Very few wives or members of the family of officials were employed by the international agencies. Employment opportunities at Geneva proper were practically nil.

All this made social life more important than it would have been under normal circumstances. During the years of the League's greatest

<sup>27</sup> See Robert de Traz, *L'Esprit de Genève* (Paris: B. Grasset, 1929).

<sup>28</sup> Daniele Varè notes in his diary, in an entry dated January 11, 1921, "Nor do I think that a Calvinistic atmosphere is suited to foreign politics." *Op. cit.*, p. 189.

expansion it was alternately hectic and monotonous. Official receptions held at the time of the Assembly and of major conferences afforded members of the staff additional possibilities of contacts, and much work was actually done on these occasions. Invitations to delegates often constituted important and materially onerous liaison work, especially in later years when entertainment allowances were restricted and available chiefly to the higher officials. The small town atmosphere of Geneva, in the interim between conferences and big meetings, became a serious problem for the morale of the staff. In a big city an official, his work accomplished, may lose himself in the multitudinous and colorful life of the metropolis. In Geneva this proved impossible. The members of the staff were constantly thrown into each other's company.<sup>29</sup> Social contacts that one would expect to develop between distinguished foreigners and local inhabitants were unexpectedly restricted by an incompatibility of temper between the new international diplomacy and Geneva society. The Genevese looked upon the international officials as intruders who raised rent prices and spoiled the servants. Moreover, Geneva society considered the members of the new international diplomacy as "radicals." This reputation was probably due to the fact that League officials were often sympathetic to the moderate political left parties of Europe, the majority of which consistently backed the League in their political practice. When Russia entered the League and a high Soviet official was named Under Secretary-General, relations became even more strained. Local antagonism reached a climax at the time of League sanctions against Italy, when large sections of Geneva society were openly pro-Fascist and anti-League. These local pro-Fascist sympathies were curiously blended with a home-grown genuine, local democracy. As a result of the attitude of Geneva society and of certain elements inherent in cantonal politics,<sup>30</sup> little sympathy flowed in the direction of the international agencies from the local surroundings. The members of the Secretariat were living in a socially empty space, comparable, on a larger scale, with the situation of the diplomatic corps in out-of-the-way capitals

<sup>29</sup> A peculiar aspect was the estrangement between the members of the League Secretariat and the ILO. A sort of social antagonism developed strangely reminiscent of certain slightly ridiculous cleavages which in the past separated diplomatic and consular services. The estrangement was never really mended.

<sup>30</sup> There was in the local political scene another element which emphasized the paradoxical character of the situation. The local social-democratic party, the greatest political unit in the Canton, held the unique distinction, among practically all the social-democratic movements of Europe, of being strongly influenced by Russian policies and ideologies. The consequence was that the local left was also — at any rate until Soviet Russia's entry into the League — antagonistic to the League.

of distant countries. These facts may be of little importance in themselves. Circumstances, which, in the words of Burke, render schemes "beneficial or noxious to mankind," made them disproportionately important for the expatriates at Geneva. But this, it might be argued, was not necessarily typical of a small-town existence and only incidental to Geneva. It might have been different elsewhere. Moreover, not all officials felt frustrated. Some Anglo-Saxons, for example, with many years' residence in Geneva, felt a strong attachment to the place and its historic memories. Geneva grew on them. It led, after their departure, to a strong nostalgia for a town that was identified in their minds and hearts with the time when they were young and full of hope for the success of the work in which they were engaged.

More important was the danger of separation from political realities inherent in an existence removed from living political national forces. May this not, it was asked, create a state of mind in which difficulties are underrated, the sense of proportion is lost, and the League becomes the center of the universe? Does this not breed a Utopian spirit? This was the way the disillusioned old revolutionary Marshal Pilsudski felt after his official visit to Geneva in December, 1927. In an interview granted to the *Matin* (Paris, December 12, 1927) Marshal Pilsudski stated:

There is much good in it all, and what is being done there is extremely useful. But it seems to me that once decisions are taken there is a tendency to get lost in formulas that cause reality to be forgotten. And then, there is something else. There is sometimes a slightly false situation. By this I mean that men who meet intimately at lunch or about a cup of tea . . . undoubtedly find it easier sometimes to settle questions, but may somewhat lose sight of the importance of the great interests they represent. It is a kind of private camaraderie between men who find pleasure in conversation with each other, and who, after a talk, shake hands. When this is repeated several times a year the illusion may sometimes be created of settling serious differences without their being really settled between the nations themselves.<sup>31</sup>

If this, in the Marshal's opinion, applied to the statesmen who came for only a few days to Geneva, how much greater must have been the risk of living in a political vacuum for people who were permanently expatriated in Geneva. This danger certainly existed, and there developed among some what the French call *déformation professionnelle*, which induced them to identify formulas with realities, and declarations of good faith with good faith itself.<sup>32</sup> On the whole, League officials

<sup>31</sup> Quoted by Howard-Ellis, *op. cit.*, pp. 165-66.

<sup>32</sup> A typical variety of this mental attitude, frequently found among League officials, consisted in what Dr. Maurice Bourquin called "pact-mania," i.e., the belief that the

did not fall victim to the spirit of Utopia. National realities were too turbulent, too dynamic, especially in the thirties, not to intrude into any existing political vacuum. Moreover, the strategic position of the officials on the intersecting line of political cross-purposes brought them back to reality in case they ever lost sight of it.

Finally, it is a moot question whether it was wise to transfer the headquarters of the international organization to a country and city which had escaped the suffering of the preceding war. Switzerland had survived World War I with negligible material and moral scars. There were no visible war ravages, no real poverty, no threat or fear of inflation. The four apocalyptic years of 1914-18 had left little trace upon the life of the Canton and city of Geneva. The international civil service lived on a happy island completely apart from the world surrounding it.

### 5. SMALL VERSUS LARGE CITY <sup>33</sup>

The location of the headquarters of the future international organization will be decided on the basis of political, geographical, and psychological considerations. The viewpoints and sentiments of the Soviet Union and of the United States will have a decisive influence upon the final choice. Administrative convenience, technical and human aspects, can only play a secondary part in the final decision. But awareness of these problems and of their rôle in the day-to-day existence of the international administration and its officials may, other circumstances being equal, shift the balance in favor of one or the other place.

There is almost unanimity that an international center must not be under the tutelage of any great power or under the influence of her political conceptions and aims. In the words of the London Report, "The main, and probably inescapable, disadvantage of location within the boundaries of a major Power, would be a tendency for the organization to be overshadowed by the international policies and relations of its host. It might even be affected by national political issues." <sup>34</sup> On the other hand, in order to serve the nations properly it needs, like the giant Antæus of ancient fable, incessant contact with the earth,

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cure for all international ills could be found in the piling up of conventional legislation. *Dynamism and the Machinery of International Institutions; A Critical Study of a Twenty Years' Experiment*: Geneva Studies, Vol. XI, No. 5, 1940 [Geneva. Geneva Research Centre, 1940]; cf. p. 19.

<sup>33</sup> The reader is reminded that, as stated on page xv, the opinions and conclusions of the author do not commit the Carnegie Endowment to any of the evaluations and conclusions expressed in this volume.

<sup>34</sup> *Op. cit.*, p. 47.

with experience and reality. Such a contact is not necessarily assured by establishing the headquarters within the boundaries of a minor power.

Another dilemma presenting itself can be summed up in the antinomy "small versus large city." The advantages of a small city as the seat of international headquarters are obvious and superficially convincing. They induced President Wilson in 1919 to press for Geneva. In everyday life, an international agency, located in a small city that is not the seat of government, is free from the subtle but potent influence of national politics and its powerful daily press. The chief disadvantages of such location have already been described. They are mainly social and spiritual inbreeding and, above all, the danger of losing one's grasp of political realities. A large city, on the other hand, is more favorable to the morale of the staff. The constant awareness of political realities and dangers is a potent antidote against the "spirit of Utopia" threatening those who live and toil in the political vacuum of a small city. The chief disadvantage is the likelihood that the large city is the capital of a major power, a political center, and as such would tend to exert a one-sided influence upon the minds of those permanently residing within its confines.

Opinions differ as to the relative importance of the arguments for and against establishing the international headquarters in one type of place or another if political and geographical considerations are equal. In the personal opinion of the author, a large city recommends itself as the situs from the point of view of the morale and efficiency of the international administration, provided that the place chosen is not the capital of one of the major powers upon whom the agency depends for its effective operation.

## CONCLUSIONS

A conscious effort has been made all through this volume to emphasize those elements of the experience in international administration which have a possible bearing upon the future. In this connection, a number of varying solutions present themselves to the mind of the student. Theoretically, the possibilities of international organization range from world government through the instrumentality of a powerful international agency to a consultative agency of the type of the League of Nations minus its stipulation for sanctions. Many shades between these two extremes are possible. Different, and even opposing, concepts regarding the range of its activities have been expounded. At least one powerful school of thought favors the separation of the security machinery from other international activities. In the English-speaking world another concept prevails, that of a general international agency, i e., an integrated organization combining the security function with specialized (functional) responsibilities. In the first case the technical (social, economic, and humanitarian) activities would operate independently of the security machinery; the technical activities may be independent of each other or may be coordinated. In either of the two hypothetical cases these technical activities may in turn be widely different in their structure and responsibilities. They may be agencies with coordinating, advisory, and research functions, as were the majority of the League's technical organizations, or they may be entrusted with operational tasks and field work such as the United Nations Relief and Rehabilitation Administration. There is, furthermore, the possibility of individual or group membership. Regionalism within world organization is possible and may, in the future, play a greater rôle than in the past. Since Briand's proposals for European union, questions of regionalism came increasingly to the fore in the discussions on the reform of the League of Nations. These theoretical possibilities do not exhaust the whole range of possible solutions; they can be multiplied *ad infinitum*.

The deliberations at Dumbarton Oaks and the tentative proposals emanating therefrom have not created definite patterns of the international organization of the future. Its character, scope, and structure are still open to modifications, but the "Proposals for the Establishment of a General International Organization" have considerably narrowed down the possible alternatives. From an analysis of these proposals it

appears that the international organization of the future will be more closely related than was expected to the League pattern as it had evolved in the last stage of its active existence. Had the proposals of the Bruce Report<sup>1</sup> of 1939 been carried into effect, the Geneva machinery would have become an integrated agency consisting of a political League and a technical League, with the non-political activities enjoying a considerable degree of autonomy. The technical organizations would have been linked *inter se* through the instrumentality of a Central Committee for Economic and Social Questions, the functions of which show a certain resemblance to the Social and Economic Council proposed at Dumbarton Oaks. Comparison of the plans proposed at Dumbarton Oaks with the League pattern of organization suggests, therefore, that the League experience will have a more immediate bearing upon the future agency than was anticipated. The similarity with the League is not only evident in the outline of the general structure of the new agency but it is particularly obvious in Chapter X of the Dumbarton Oaks Proposals, entitled "The Secretariat." This text shows a surprising parallelism with Article VI of the Covenant, with the exception of paragraph 3, which grants the head of the International Secretariat considerably greater powers than did the Covenant.<sup>2</sup>

The experience of the League cannot supply the new agency with set solutions for its internal administrative problems. Each agency must shape its internal organization in the image of its own constitution and objectives. This was well illustrated in the recent past. In spite of their common origin, the major international administrations operating in the interwar period developed widely different working methods and, up to a point, different psychologies. The two agencies which have or are developing out of this war, UNRRA and the permanent Food and Agriculture Organization, are already evolving methods and administrative patterns that were unknown to the Geneva agencies.

<sup>1</sup> See chapter on "The Emergence of the Economic, Social, and Humanitarian Activities," *supra*, pp. 163-66.

<sup>2</sup> "1. There should be a Secretariat comprising a Secretary-General and such staff as may be required. The Secretary-General should be the chief administrative officer of the Organization. He should be elected by the General Assembly, on recommendation of the Security Council, for such term and under such conditions as are specified in the Charter.

"2. The Secretary-General should act in that capacity in all meetings of the General Assembly, of the Security Council, and of the Economic and Social Council and should make an annual report to the General Assembly on the work of the Organization.

"3. The Secretary-General should have the right to bring to the attention of the Security Council any matter which in his opinion may threaten international peace and security." *Dumbarton Oaks Documents on International Organization; together with Chart and Questions and Answers*; Department of State, Conference Series No. 60 (Washington: Government Printing Office, 1944), p. 16.

If the League experience cannot provide ready-made solutions, it can offer an account of past mistakes and lengthy detours which after much trial and error have led to satisfactory arrangements; it can offer the record and the particulars of these arrangements themselves. Thus it can make an important contribution to the international administration of the future. The experience of the recent past would seem particularly valuable in matters regarding the best type of leadership, the proper relationship between the head of the international agency and his principal collaborators, the question of the principles that underlie the establishment of a multinational staff, and the methods of recruiting it and of securing a maximum of efficient cooperation. Answers to these and numerous other questions are contained or implied in the analysis of the League administration contained in this study.

Whether the future peace will be satisfactory and durable will not depend upon administrative patterns and measures. The decisive factors will be, in the first instance, the policies of the member States and the character and strength of the international organization. No mechanism, no administrative structure, however perfect and effective, can take the place of the sincerity, the energy, and the unity of purpose of the members of the community of nations, especially those with world-wide responsibilities.

But the establishment of the factual basis for the more detailed formulation of policy, the co-ordination of the national and international action required, and the successful implementation of approved policies will depend to a large extent on the character, loyalty and efficiency of the international secretariats of the future and on the principles governing their administration.<sup>3</sup>

In the following pages it is intended, first, to give the gist of the experience as explored in this volume and, secondly, to recapitulate under parallel titles the concrete proposals regarding the organization and leadership of the international administration of the future contained in this volume.

## I

### THE EXPERIENCE

#### GENERAL

The experience of the League of Nations Secretariat has afforded conclusive proof that international administration is possible and that it can be highly effective; that an international civil service can be

<sup>3</sup> Evans, "The International Secretariat of the Future," *op. cit.*, p. 74.

created which compares favorably with the best civil services of the world. The League has shown that it is possible to establish an integrated body of international officials, loyal to the international agency and ready to discharge faithfully the international obligations incumbent upon them.<sup>4</sup> It was not for lack of executive efficiency that the League system failed.<sup>5</sup>

### THE SEAT OF THE LEAGUE

In many respects, Geneva proved a good choice because of its central location, its international traditions, and its facilities for proper accommodations. But the small-town character of Geneva and its remoteness from some of the more unpleasant realities of the period between the two wars threatened the Secretariat with the danger of falling prey to illusions and wishful thinking.

The neutrality of Switzerland — one of the reasons which had led to the choice of Geneva as the seat of the League — might have created grave problems for League action in the late thirties. These problems have not been sufficiently recognized because of the reluctance of the governments to air these difficulties in public. The Secretariat could not have continued operating in Switzerland in the fall of 1939 had the struggle been considered by the members of the League a war in defense of the Covenant or a war of "collective security versus aggression"; nor could it have carried out any but humanitarian or research activities from the moment two of Switzerland's neighbors were at war.

### INTERNATIONAL LEADERSHIP

#### EXTERNAL POWERS

The Covenant of the League restricted the external powers of the head of the international agency to those of acting in the capacity of Secretary-General at all meetings of the Assembly and of the Council, and summoning meetings of the Council upon the request of any member thereof.

In the light of subsequent events it appears particularly regrettable that, unlike the Directors of the ILO, the Secretaries-General of the League never availed themselves of the opportunity of defending the interests of the League and of the community of states as a whole before the Council and the Assembly and the public opinion of the world.

<sup>4</sup> Committee of Thirteen, *Report*, p. 9.

<sup>5</sup> *Proceedings of the Conference on Experience in International Administration, op. cit.*

There is quasi-unanimity among persons who have been closely associated with the League experiment that the external powers of the Secretary-General were unduly restricted by the authors of the Covenant, even within the already restricted range of authority granted to the Secretariat, and that the two Secretaries-General fell short of international leadership by not availing themselves sufficiently even of the margin of influence left to them by the League constitution. The rôle and position of the heads of the League administration remained, therefore, almost stationary.

#### CHOICE OF PERSONALITY

This raises the question whether a different choice of personality would have strengthened the League and whether it would be preferable to select the head of a political international agency from among political personalities rather than from among civil servants. In view of the gigantic forces arrayed against the League, one may doubt whether stronger and more dynamic personalities could have salvaged it. But there is practically a consensus of opinion that the impression of a passive acceptance of the mounting danger on the part of the head of the international administration was detrimental to the idea of the League and that it was a mistake to narrow the choice of the Secretaries-General to diplomats and civil servants.

#### INTERNAL FUNCTIONS

If the powers of the Secretary-General were too narrow, externally, the League constitution vested in him practically the whole responsibility in internal matters, especially in staff questions. Too great a part of his time and energy were absorbed by these matters; a proper delegation of authority was practically precluded by the constitution. Under the existing system he was, moreover, exposed to constant political pressure while lacking the necessary power to counteract it effectively. In budgetary matters, the League constitution placed the head of the international administration in an intolerable position, compelling him to concentrate on defending his budget instead of taking a leading part in the Assembly.

#### ADMINISTRATIVE HEAD AND PRINCIPAL OFFICERS

As the League was not a supranational government, the position of the head of the international administration was not that of an interna-

tional prime minister. It was rather comparable to the position held by the Permanent Secretaries or Under Secretaries in European ministries. The insufficient recognition of this essential difference between national government and international action led to erroneous conclusions regarding the whole of the activities of the Secretariat. The Cabinet system afforded no analogy or model for international administration. The principal international officers were not the equals of the head of the Secretariat. They were his subordinates.

As the international Secretariat was a headquarters organization, multiple control, divided leadership, individual ministerial responsibility on the part of the highest officers were precluded. But political and national influences exerted from without and from within militated constantly against the centralized leadership of the Secretary-General. This was accentuated in later years by the unfortunate position created for the principal officers by precedents and the will of the policy-shaping bodies.

#### THE HIGHEST OFFICERS

The status, functions, and methods of appointment of the highest officials were among the least satisfactory aspects of the Geneva experience. Although it is essential that the leading powers be represented in the higher positions in the very interest of the international agency, legitimate criticism was voiced regarding the monopoly which the Great Powers originally enjoyed in the higher direction, and the use some of the appointees to these posts made of their position. There was a tendency among some of the highest officials to consider themselves national appointees. As a result, the international character of the Secretariat was jeopardized by its most responsible officials. The creation of "national islands" within the Secretariat, pursuing their own national policies and hampering the international work of the Secretariat, was one of the regrettable direct consequences arising out of this situation. A good deal of criticism that was largely justified was the inevitable result.

From 1932 on, a serious and, on the whole, successful attempt was made to enlarge the international basis of the principal posts and to discourage national activities within the Secretariat by the abolition of the national cabinets. More and more the feeling grew that the whole concept governing the appointment, status, and functions of the Under Secretaries-General was ripe for revision and that the *status quo* constituted a constant source of danger and disintegration.

### THE INTERNATIONAL MACHINERY

The organization and administrative structure of the International Secretariat evoked no serious criticism. The grouping of the Secretariat into general sections and internal administrative services (both serving the whole administration), on the one hand, and into sections dealing with specific subject matters, on the other, was considered effective and best suited to the League technique of international cooperation. The wisdom of the original decision to dispense with geographical and national grouping or subdivisions was generally recognized. It was felt, however, that the division of the Secretariat into a great many almost watertight compartments had probably been carried too far, and that it had resulted in a lack of flexibility, sometimes preventing a full utilization of the staff. Such minor criticism must not detract from the fact that by and large the internal organization may serve as a model for future international administration.

The administrative technique evolved by the Secretariat was a judicious synthesis of Anglo-Saxon and French administrative methods blended to suit the particular tasks of the International Secretariat. It proved particularly adaptable to the varied personnel of the Secretariat, and enabled the center to cooperate smoothly with three scores of national governments with their multifold administrative traditions and habits. In the course of years the administrative procedures of the international center became increasingly centralized and to a certain point bureaucratic. The experience of the League suggests, and the experience of the ILO points in the same direction, that international administration, in keeping with the experience of national administration, is threatened in the course of its evolution with over-rigid centralization rather than centrifugal tendencies aiming at an increased autonomy of the various services.

### SUPRANATIONAL STAFF

#### INTERNATIONAL CHARACTER AND LOYALTY

The decision to organize the staff upon the principle of international loyalty and to subject officials exclusively to the authority of the Secretary-General rather than to compose the Secretariat of national nuclei was fully justified, and proved one of the most important elements in safeguarding the cohesion and effectiveness of the Secretariat. The peculiar circumstances prevailing in the interwar period were not conducive to achieving and preserving international loyalty. Thanks to a

judicious choice of collaborators, to the lure of League service, and to satisfactory arrangements regarding tenure, remuneration, and social security, the Secretariat was composed, in the main, of loyal servants. The chief value of the declaration of fidelity required of all officials lay in the fact that it provided the head of the Secretariat with a legal and moral basis for disciplinary measures in case of flagrant violation of international duties by staff members.

#### RECRUITMENT, TENURE, REMUNERATION

The application of the merit system to international administration encountered a number of obstacles: the polymorphous character of an International Secretariat with its national and functional diversity made examinations more difficult than in the case of national administration. Possibilities of promotion within the agency were reduced by the practice of making outside appointments for political reasons.

The rules of granting (a) non-renewable contracts to the principal officers, (b) renewable seven-year contracts to the Directors, and (c) permanent or long-term appointments to a fair proportion of the First and practically the whole of the Second Division, was considered satisfactory in the light of actual experience. During the last years of the Secretariat's active existence a shift from permanent to short-term contracts occurred, primarily as a consequence of the economic and political crisis through which the world passed at the beginning of the thirties. The mixed character of the service became more and more pronounced and created elements of danger and instability which would have become evident had the Secretariat actively continued after 1940.

Salaries were set and maintained at a comparatively high level. They were, together with the British civil service remunerations, the highest paid to public employees in Europe. Criticism of them never fully subsided but the arguments in favor of maintaining the general salary level (with certain cuts after 1932) prevailed in spite of the crisis. The level of League salaries must be considered one of the major reasons for the high standard of work and integrity maintained in the Secretariat.

#### CLASSIFICATIONS OF STAFF, AGE COMPOSITION, SPECIAL RIGHTS

The classification of the staff into three divisions was, on the whole, justified and considered practicable. While a headquarters staff of an

international agency must of necessity have a larger proportion of officials in the higher brackets than a national administration (including departments of state and foreign offices), political rather than administrative reasons contributed in the case of the League Secretariat to an inflation of the administrative division beyond the size justified by purely administrative considerations. This became an element of weakness though the consequences never seriously hampered its work. The chief disadvantage was probably not so much of an administrative as of a budgetary nature; it raised the proportionate staff expenditures in a budget that was already subject to more criticism and closer scrutiny than any national budget. In spite of rules to the contrary, promotion from one division into a higher one was rare in practice. European civil service traditions created almost unsurmountable obstacles.

The age distribution within the Secretariat was another weakness. It was wrong in the beginning and was never fully remedied. While the initial maladjustment was due to reasons beyond the control of the administration, an insufficiently clear recognition of the danger inherent in this state of affairs contributed to the continuation of the defective age distribution.

The granting of broad diplomatic immunities and privileges proved a blessing to the administration, particularly in the second half of the thirties when diplomatic relations began to degenerate. The Secretaries-General kept strict watch over compliance by their officials with laws and police regulations. Not a single case of serious abuse was recorded in spite of the great number of persons enjoying these privileges.

#### NATIONAL COMPOSITION

The national composition of the Secretariat, highly unsatisfactory in the beginning, was progressively righted in the course of years. The High Directorate, originally an exclusive domain of the big powers, was successfully enlarged to include nationals of other countries. This development was not restricted to the High Directorate, however. The Secretariat as a whole was made to correspond more and more to the national composition of the League itself. While the actual achievement reflects credit upon the Secretaries-General, certain regions and cultures, especially the East and Latin America, remained signally under-represented. It proved very difficult to find a sufficient number of suitable appointees from Latin America and the East. These difficulties were

due in part to an insufficient effort to recruit candidates from these regions locally.

#### OFFICIAL LANGUAGES

The choice of English and French as official languages was a direct consequence of the practice established at the Paris Peace Conference of 1919. This necessitated a double rendering of all official negotiations and discussions and the publication of practically all documents in English and French. The dispatch of the business of the League in two languages was one of the major factors determining the size of the staff and restricted the choice of officials to persons who were able to write and speak one of the two languages and to read and understand the other. Too much importance was attached by the League authorities to language proficiency in recruiting personnel not directly concerned with the preparation of translations and the reproduction of documents, and the circle of candidates successfully competing for appointment was thus unduly restricted by the prevailing practice. The experience suggests that insufficient knowledge of official languages is a handicap that can be overcome more easily than lack of general administrative qualifications and experience.

#### PUBLIC RELATIONS

Public relations activities were practically monopolized by the Information Section, which formed an organic part of the Secretariat. The over-all concept of publicity for all major League activities prevailing at Geneva enabled the League's information service to render outstanding services to the world press through its technique of public relations. In many respects the Information Section set a new standard of cooperation between an official agency and the press. The League's publicity service was less successful, however, in the use it made of newer instruments of publicity, e.g., the film and radio. Moreover, the official character of all its services led to a harmful uniformity in its releases and to an inevitable lack of color in the presentation of the League's activities. Insufficient regard was, finally, paid to the importance of general liaison work with groups and organizations interested in the work of the League. Public opinion of the world was thus not enlisted on behalf of the international activities carried on at Geneva to the degree to which this would have been possible or desirable.

## II

## SUGGESTIONS AND PROPOSALS

The following concrete proposals suggest themselves as a result of the examination of the experience of the past, irrespective of the character, scope, and functions of international administrative bodies of the future.

## SITUS OF INTERNATIONAL ORGANIZATION

The headquarters of the international administration must be established at a place where its full and unimpaired functioning not only in normal times but also in times of crisis is safe from all interference on the part of the particular government on whose territory the agency operates. Experience has proved conclusively that mere inviolability of premises and grounds is insufficient protection in times of emergency. The situs on which the agency is operating must not only enjoy extritoriality but should be "international territory," the size of which will clearly depend upon the tasks and character of the agency, and upon the degree of importance the members of the future international organizations attribute to this question.

## INTERNATIONAL LEADERSHIP

The head of an international agency should be an international leader. He must be a statesman, a man of public affairs rather than a civil servant. This holds with particular force for the head of a political agency, but to a minor degree also in the case of the head or heads of functional bodies. Men chosen to direct the major specialized international agencies should combine statesmanship with expert knowledge in the field in which their agencies operate.

The international leader should be given a rank unmistakably suggesting equality of status with the top governmental delegates of the organs that shape the policies of his agency (Central Committee, Council, Assembly, major standing and *ad hoc* committees, etc.). He should therefore have a title indicating the important position he holds and should enjoy the full diplomatic immunity and protection granted by any member State to a top-ranking diplomatic representative.

In order to enable the international leader to reach the full measure of his authority and usefulness and to permit the community of nations to profit as long as possible from the experience he gains in his uniquely

strategic position, his tenure of office must be sufficiently long. A ten-year tenure of office is, in the opinion of those who have given this question most careful consideration, the optimum.

His remuneration must be equivalent to that of ambassadors of the major powers. On leaving office he should receive a generous life retirement allowance in order to discourage him from later accepting any national position. While final decision on staff appointments must remain with him, he should be free from constant preoccupation with questions of this nature in order to devote his full energy and time to major questions of policy and to establish and maintain the maximum of contacts with the member States by frequent visits to their capitals.

#### PRINCIPAL OFFICERS

The experience of the first great experiment in international Administration has shown that, in order to function, the International Secretariat must be under a single control. But the fact that the principal officers will be and must be nationals of the most important member States, or will in all likelihood represent groups of countries or regions represented in the organization, makes the relationship of the head to his principal collaborators a question of supreme importance.

In the light of experience the best solution would seem to be to abandon altogether the League practice of appointing a number of principal officers with purely political and representative functions, and entrust all higher officials with direct administrative responsibilities.

Since collective and divided responsibility is impracticable in an international administrative body, and since, on the other hand, the decision as to the character of the relationship between the head and his principal officers should not be left to hazard or to the personal determination of the individual head of the international secretariat, the creation of a Policy Council or Board of Principal Officers with consultative functions recommends itself as the most equitable solution in the light of past experience.

#### THE ADMINISTRATIVE MACHINERY

As the headquarters of the international organization and its outposts (regional, branch, and liaison offices) are the only permanently functioning organs of the international agencies, their rôle and importance surpasses that of national administration. Particular care must be

taken therefore to blend two virtually contradictory elements: initiative and control. While the international headquarters must have a fairly broad amount of liberty of action, especially in all internal affairs, it must at the same time be closely controlled in its major policies by the policy-making organs. The solution reached at Geneva, especially in the first years, may serve as a fair prototype.

The internal organization of the future international administration can and should be patterned after the successful techniques and procedures that have been evolved during a quarter of a century by the League and the ILO.

International administration must be endowed with sufficient means to guarantee its operation without regard to temporary defaults in payments or delays in the flow of national contributions. There are two ways of enabling the agency to operate during a prolonged crisis as unimpaired as may be possible under existing conditions: (1) by establishing a working capital fund corresponding at least to the expenditure budget of the central administration for a full year; and (2) by enacting provisions empowering the international agency to borrow from an international bank if a system of this kind should be established after the war.

#### SUPRANATIONAL STAFF

Following the principle adopted by the League, the staff must be organized not upon the basis of national delegations or nuclei, but as an international civil service. In their official activities the members of the staff must be responsible only to the head of the administration. They are the servants of many masters. But these masters have delegated their power to one man who enjoys their collective confidence.

The staff must reflect in its composition the cultures, civilizations, and nationalities represented in the membership. Small nationalities must be represented to the extent to which this is compatible with a realistic recognition of the fact that it is the major powers that bear the brunt of the responsibilities and the greater share in the financial burden. The principle of mathematical distribution of nationalities must be rejected, and there must be no direct link between the material contribution of a country and its share in staff appointments. The agency must be free to consider personal qualifications of candidates the paramount factor. Conflicts between member States and the international administration over personnel questions should be avoided because they imperil the activities of the organization as a whole. Gov-

ernmental pressure with respect to staff questions must be precluded as far as is humanly possible. The best means to achieve this would be to insert a clause into one of the charter documents formally safeguarding the administration and making interference on the part of a government a breach of a freely accepted international compact.

In the choice of the staff, preference must be given to candidates whose past and general philosophy of life, as far as these can be ascertained, bear witness to their sympathy with the principles and purposes of the international agency.

A deliberate attempt must be made to prevent a repetition of the false age distribution of the staff which plagued the League Secretariat. Subsequently to the establishment of the administration, the bulk of the permanent staff must be recruited while still young. Appointments to higher administrative positions from outside cannot and should not be excluded, but care must be taken to safeguard the chances of promotion of the gifted members of the staff in order to secure first-rate material for the headquarters staff.

Tenure, salaries, and social security of officials must be arranged in such a manner as to make the officials independent of national influence and discourage them from seeking a subsequent career in their home countries. Permanent contracts for the bulk of the personnel recommend themselves as the best means to achieve this end.

Broad diplomatic rights and immunities must be granted to all officials on the administrative level, and to officials of lower grades in the dispatch of their official duties, especially when on missions abroad. In order to prevent a recurrence of the truly chaotic situation which prevailed at Geneva with regard to passports of international officials, it is suggested that the member States authorize the heads of future international agencies or the administrative head of the General International Organization to issue, to officials of certain ranks, a special international traveling paper which would be recognized by the authorities of all member States as equivalent to a diplomatic passport.

#### PUBLIC RELATIONS

In order to make the public relations activities more effective than they were in the past it appears desirable to modify in future the system adopted by the League. The League operated through an official Information Section which was one of the major administrative services. In the light of experience it is proposed either that the future in-

formation service be made less formal as a whole, by abolishing its official character, or that public relations activities be divided into two separate services — an official information service restricted to the issuance of factual reports and to the provision of technical facilities to the organs of public opinion, and a second, semiautonomous service. The latter would possess considerable freedom in methods of informing the public and in winning public opinion for the aims and purposes of the international organization.

\*       \*       \*

The imperatives contained in these conclusions, to which many others could be added, are not Utopian. Most of these conditions were either fully or at least in part incorporated in the rules and regulations governing the international administration at Geneva. Others are suggested by shortcomings which have become evident in the practice of the past.

The League experience has proved beyond the shadow of a doubt that international administration can function competently and successfully even under signally unfavorable circumstances. It has shown that international administrative methods can be developed and that persons from all corners of the inhabited globe can be brought together for a common purpose, to work and act together as a team. In addition, League practice has conveyed the unique and somewhat unexpected lesson that nationality plays a less disintegrating rôle in a multinational administration than was expected. Common ideals, a common purpose, common conditions of work and life have proved potent factors in developing an *esprit de corps*, a common psychology capable of surviving the severest crisis imaginable. If such uniformity could be maintained at Geneva by a League whose influence soon began to decline, in a world of explosive nationalism that receded with gigantic strides to the old mechanism of power politics, it is safe to assume that, whatever the stumbling blocks to future collective action, it will not be impossible to assemble and maintain an international civil service.

No serious difficulties should be encountered by the international organizations in process of formation or to be established in the future in assembling a competent and devoted staff. They will only have to throw out the hook as the fisherman his tackle.

The secretariat of an agency of a preponderantly consultative, advisory, secretarial, and research character will necessarily attract and

hold another type of person than an international agency which operates, distributes, executes, and organizes field services or has an international police force at its disposal. In the first kind of international agency a type of official will dominate who is more interested in procedures and formulae, legal processes, figures and statistics. Formalism and bureaucracy is the danger threatening such an agency. The typical official of an active agency or of an international agency endowed with enforcement machinery, on the other hand, will be a more active and energetic type, more concerned with the actual carrying out of orders than with niceties of procedure. Not formalism, but a tendency toward irresponsible activity is the danger besetting this type of agency. It will be in particular need of the complementary element, the cautious desk worker, the bureaucrat.

Whatever the character of the international agency of the future, however, it will require both an active and a more passive kind of collaborator. Old established national administrations have been able to blend these two types and to distribute them within their services. In international as in national administration the ideal must be to achieve a synthesis of initiative and discipline, of the executive and the administrative type, especially in the higher strata of the administration, rather than to establish a system of checks and balances in which the active type is paralyzed by the sedentary and unimaginative element.

A process of natural self-selection will be at work and this process will have to be supplemented by a judicious choice of the available talent. It will depend on the ability of those responsible for the international organization whether they make the most of their tremendous possibilities.

The best of a whole generation whose youth has been overshadowed by war are ready to enlist in the incomparably fascinating endeavor. New instruments of international cooperation emerging out of the great deluge are the legitimate successors of proud concepts and institutions of bygone days whose hour of glory has passed. Sovereignty in the nineteenth-century meaning of the term is one of them, diplomacy is another. They will survive the present Armageddon. But both will be weakened, the one as the chief safeguard for the survival of States, big, medium, and small; the other as the main instrument for preserving peace. International organization, an intruder and a stranger among us yesterday, is today claiming its rightful place as the coordinator beyond national boundaries and the purveyor for the changed

needs of mankind. The international administrator, a newcomer among mankind, is ready and qualified to assume in a changed world some of the major functions of the diplomatist of the past.

In the minds of the best of a whole generation, the setting-up of a more orderly, more cooperative world has assumed the significance of a symbol. World organization, to them, is the means of expiation for the errors of the past for which they have suffered and bled. Here, to them, is the task of all tasks. Here the clarion call of the future.



## **APPENDICES**



## APPENDIX I

### FUNCTIONS OF THE SECRETARIAT UNDER LEAGUE CONVENTIONS

An attempt is made in this appendix to present an annotated survey of the duties and functions entrusted to the Secretariat by conventions concluded under the auspices of the League. It must be understood that this survey relates only to what can be called secretarial or ministerial functions. Functions forming part of the operation of international instruments incumbent upon the League are treated only so far as they imply, or have resulted in, secretarial activities. For the purpose of this survey the terms Secretary-General and Secretariat are used interchangeably. The text has been based partly upon a study entitled *Powers and Duties Attributed to the League of Nations by International Treaties*,<sup>1</sup> drawn up on behalf of the Secretariat by Mr. Hugh McKinnon Wood.

1. Practically all conventions concluded under the auspices of the League provide for the deposit of the instrument with the Secretariat and make the Secretariat responsible for (a) its custody; (b) providing certified copies; (c) receiving ratifications, accessions, notifications regarding its applicability to overseas possessions, etc.

2. The Secretariat acts in numerous cases as intermediary between the contracting parties. The latter are required to communicate information or documents to each other through the instrumentality of the Secretariat. The subsidiary purpose of this arrangement is that of making the material available to the League as well as to the other contracting parties. An example is Article 7 of the Slavery Convention of September 25, 1926, which reads:

The High Contracting Parties undertake to communicate to each other and to the Secretary-General of the League of Nations any laws and regulations which they may enact with a view to the application of the provisions of the present Convention.<sup>2</sup>

3. In some cases legal basis is given in a convention for the communication of *Annual Reports* by governments through the Secretary-General, i.e., the Secretariat. The Drug Limitation Convention of July 13, 1931, states in Article 21:

The High Contracting Parties shall communicate to one another through the Secretary-General of the League of Nations the laws and regulations promulgated in order to give effect to the present Convention, and shall forward to the Secretary-General an annual report on the working of the Convention in their territories, in accordance with a form drawn up by the Advisory Committee on Traffic in Opium and Other Dangerous Drugs.<sup>3</sup>

<sup>1</sup> L.N. Document C.3.M.3.1944.V.

<sup>2</sup> L.N. Document C.586.M.223.1926.VI., p. 4; Hudson, *International Legislation*, Vol. III, pp. 2015-16.

<sup>3</sup> L.N. *Treaty Series*, Vol. 139, p. 331; Hudson, *International Legislation*, Vol. V, p. 1072.

The extent of the tasks that fall upon the League and its Secretariat cannot always be fully gauged by mere reference to the texts of the conventions themselves. In many instances the Final Act of an international conference which had adopted a multipartite instrument contains a list of *vœux* adopted by the conference or of recommendations addressed to the League of Nations Council. Such recommendations may charge the League and the Secretariat with specific functions arising out of the aims and purposes of the international instrument in question. An example can be found in the Final Act of the International Conference on Traffic in Women and Children held at Geneva in July, 1921, which drew up the Convention on the Suppression of Traffic in Women and Children of 1921. Article X of the Final Act reads as follows:

The Conference recommends that the Council of the League of Nations should, in pursuance of Article 23(c) of the Covenant, direct the Secretariat to request all Members of the League and all States which are parties to the Agreement of 1904 and to the Convention of 1910, to supply it with an annual report on the measures taken or contemplated by them in order to check the Traffic in Women and Children. These Reports shall be communicated either in full or in the form of a summary to all Members of the League and to all States which are parties to the above-mentioned instruments, so that every country may benefit by the experience gained by the others. The Secretariat may, for this purpose, draft a questionnaire, to be sent to the Governments.

The Conference also recommends that the International Associations for the suppression of the Traffic should be requested to furnish the Secretariat with an annual report on their work. These reports should be circulated in the same way as those of the Governments.<sup>4</sup>

The submission, publication, and circulation of annual reports of this kind, on the surface a purely administrative matter, has had considerable practical importance. In many cases these reports and their scrutiny by an advisory committee constituted a sort of indirect control, as a matter of fact often the only control, exercised by the League over the execution of international agreements by the parties to these instruments. Moreover, the publicity given to the reports, which were, as a rule, made available to the press, and the public character of the discussion of them by League committees, were frequently an important element in safeguarding the execution of international obligations by the parties.

4. The Drug Limitation Convention of 1931, in addition to providing for the communication of annual reports by governments (see above), stipulates that the Secretary-General shall communicate to the governments the Annual Statement of the Supervisory Body issued under Article 5 of the 1931 convention; Seizure Reports (Article 23), and List of Factories (Article 20), i.e., notification of the existence, setting-up, or closing of factories manufacturing dangerous drugs, with full details as to location, etc.

The Drug Limitation Conference of 1931 further charged the Secretariat with the preparation for the use of governments, of a legal and historical com-

<sup>4</sup> *International Conference on Traffic in Women and Children; General Report on the Work of the Conference*, Annex I: Final Act of the Conference, L.N. Document C.227.M.166.1921. IV., pp. 11-12.

mentary on the convention.<sup>5</sup> This study, the first of its kind prepared by the Secretariat, was designed as an authoritative handbook for the use of governments and League organs in interpreting and applying the convention.

5. The Secretariat lent its expert assistance in numerous cases to committees which had been entrusted with the preparation of texts of conventions, but only in the last stage of its existence did its rôle become more active. As Mr. V. Pastuhov has pointed out, "the skill and precision of the work of the Secretariat received more and more recognition."<sup>6</sup> In 1938, the Advisory Committee on Traffic in Opium requested the Secretariat to prepare a draft of the principal articles of a convention for controlling the cultivation of opium. This was done by the Opium Section in collaboration with the Legal Section, and this draft was accepted with but insignificant changes by the Advisory Committee sitting as a preparatory committee.

The more active rôle played by the International Labor Office is reflected in the fact that it was charged, under the procedure governing the framing of international labor conventions, with preparation of the drafts of conventions for submission to and debate by the International Labor Conference.<sup>7</sup> A recent example showing that the International Labor Office developed considerable initiative in drafting conventions is afforded by the following case. At the 1939 session of the International Labor Conference, a lack of uniformity in the degree of application of conventions to the various colonies was stressed. The committee of the Conference which examined reports on the application of conventions suggested that the Office should examine the situation with a view to the possible adoption of special conventions for colonial territories. The Office thereupon drew up and submitted to its Twenty-Sixth Session (1944) the text of a "Proposed Recommendation concerning Minimum Standards of Social Policy in Dependent Territories."<sup>8</sup> This text was drawn up in the form of a convention, subdivided into sections and articles, in English and French.

6. In the course of twenty years seven public international bureaus or offices, in all, were placed under the direction of the League under Article XXIV of the Covenant. Only in two cases was this step provided for in international conventions: the Central International Office for the Regulation of the Liquor Traffic in Africa, and the International Commission for Aerial Navigation. The practice was not followed subsequently in conventions creating international bureaus.

Article 7 of the Convention on the Liquor Traffic in Africa (St. Germain-en-Laye, September 10, 1919) reads:

A Central International Office, placed under the control of the League of Nations, shall be established for the purpose of collecting and preserving documents of all kinds

<sup>5</sup> *Convention for Limiting the Manufacture and Regulating the Distribution of Narcotic Drugs of July 13th, 1931; Historical and Technical Study by the Opium Traffic Section of the Secretariat of the League of Nations*, L.N. Document C.191.M.136.1937.XI., p. 229.

<sup>6</sup> Pastuhov, *A Guide to the Practice of International Conferences*, op. cit.

<sup>7</sup> *The Constitution and Rules of the International Labour Organisation* (Montreal: International Labour Office, 1944).

<sup>8</sup> International Labour Conference, Twenty-Sixth Session, Report V: *Minimum Standards of Social Policy in Dependent Territories; Fifth Item on the Agenda* (Montreal: International Labour Office, 1944), pp. 21-22 and 72-109.

exchanged by the High Contracting Parties with regard to the importation and manufacture of spirituous liquors under the conditions referred to in the present Convention.

Each of the High Contracting Parties shall publish an annual report showing the quantities of spirituous beverages imported or manufactured and the duties levied under Articles 4 and 5. A copy of this report shall be sent to the Central International Office and to the Secretary-General of the League of Nations.<sup>9</sup>

A similar text was included in the Convention on the Regulation of Aerial Navigation (opened for signature at Paris, October 13, 1919) in Article 34. The chief difference between these texts consists in the use of the term "direction of the League of Nations" in the latter convention while the first-named speaks of "control."

In practice the placing of international bureaus under the authority of the League amounted to little more — from the standpoint of the Secretariat — than liaison work. No financial responsibilities were involved and no control exercised in the technical sense of the term.

\* \* \*

Apart from these duties officially entrusted to the Secretariat, a number of indirect tasks fell upon the Secretariat; among them were those arising out of various functions imposed upon the Council under League conventions, for instance, that of nominating members of arbitration commissions and similar responsibilities. This entailed not only administrative action but imposed upon the Secretariat, for all practical purposes, the choice of the persons to be appointed by the Council. Moreover, the Secretariat played an active rôle in the follow-up work aimed at securing signatures of and accessions to conventions as well as other activities dedicated to hastening the ratification of international compacts. These indirect activities have been more fully described above in the chapter on "The Rôle of the Secretariat in League Policies."<sup>10</sup>

<sup>9</sup> United States, *Treaty Series*, No. 779, p. 10; Hudson, *International Legislation*, Vol. I, p. 357.

<sup>10</sup> *Supra*, pp. 397-99.

## APPENDIX II

### RÔLE AND FUNCTIONS OF THE SECRETARY-GENERAL IN COUNCIL AND ASSEMBLY

The stipulation contained in the Covenant that the Secretary-General "shall act in that capacity at all meetings of the Assembly and of the Council" was more concretely defined in the *Rules of Procedure* of the Council and the Assembly, and these documents contain the following passages directly referring to the rôle and functions of the Secretary-General.

#### RULES OF PROCEDURE OF THE COUNCIL<sup>1</sup>

ARTICLE I. — 6. The Secretary-General shall give notice to the members of the Council of the date at which a session is to begin, unless the session is to be held at a date provided by the present Rules or fixed by the Council.

ARTICLE III. — 1. A provisional agenda shall be drawn up by the Secretary-General and approved by the President of the Council. . . .

ARTICLE V. — Where, during the interval between sessions of the Council, the Secretary-General, for the purposes of the application of the provisions of the present Rules or for any other purpose, has occasion to apply to the President of the Council and the President is prevented from acting, the Secretary-General shall apply to the last President, if the country which he represents continues to belong to the Council. If the last President is unable to act, the Secretary-General shall apply, subject to the same condition, to his predecessor, and, thereafter, in accordance with the same system, to earlier Presidents of the Council.

ARTICLE XI. — 4. The Council may decide not to have published Minutes. In this case, a summary record in a single copy shall alone be made. Such record shall be kept in the Secretariat of the League of Nations, where the representatives of Governments which took part in the meeting may have corrections made in their own speeches within a period of ten days. On the expiration of this period, the record shall be considered as approved and shall be signed by the Secretary-General. Representatives of the said Governments shall at all times have the right to consult the record at the Secretariat.

ARTICLE XII. — 1. When the Council is not in session, its members may be consulted by correspondence by the Secretary-General, on instructions from the President, and may by this means adopt such measures of an administrative character as appear on grounds of urgency to be strictly necessary before the Council again meets.

2. Subject to confirmation by the Council at its next session, the President of the Council, at the request of the Secretary-General, may, in the interval between sessions, take financial measures of an urgent character which fall within the competence of the Council, such as the approval of transfers, charging of expenditure to the Council's vote for unforeseen expenditure, and advances from the Working Capital Fund.

<sup>1</sup> Adopted by the Council on May 26, 1933; L.N. Document C.197.M.106.1938., *passim*.

RULES OF PROCEDURE OF THE ASSEMBLY<sup>1</sup>

RULE 1. — 3. If a Member of the League considers a session to be desirable, it may request the Secretary-General to summon a special session of the Assembly. The Secretary-General shall thereupon inform the other Members of the League of the request, and enquire whether they concur in it. If within a period of one month from the date of the communication of the Secretary-General, a majority of the Members concur in the request, a special session of the Assembly shall be summoned.

RULE 3. — 1. The sessions of the Assembly shall be summoned by the President of the Council, acting through the Secretary-General.

RULE 4. — 1. The agenda shall be drawn up by the Secretary-General with the approval of the President of the Council. . . .

RULE 5. — 1. Each Member shall communicate to the Secretary-General, if possible one week before the date fixed for the opening of the session, the names of its representatives, of whom there shall be not more than three. The names of substitute-representatives may be added.

2. The full powers of the representatives shall be delivered to the Secretary-General, if possible, one week before the date fixed for the opening of the session. They shall be issued either by the Head of the State or by the Minister for Foreign Affairs.

RULE 9. — 1. The Secretary-General shall be responsible for the organisation of the Secretariat of the Assembly and of the secretariat of any committees set up by the Assembly.

2. The Secretary-General may be assisted or replaced at the meetings of the Assembly by a deputy or deputies. The Secretary-General, or one of his deputies, may at any time, on the invitation of the President, bring before the Assembly reports concerning any question which is being considered by the Assembly, and may be invited by the President to make verbal communications concerning any question under consideration.

RULE 11. — 1. The public shall be admitted to the plenary meetings of the Assembly, by cards distributed by the Secretary-General.

RULE 14. — 8. The Secretary-General or his deputies may make to any committee or subcommittee any report or verbal communication which he or they may consider desirable.

<sup>1</sup> *Rules of Procedure of the Assembly* (Revised Edition — April, 1937), L. N. Document C.144.M.92.1937., *passim*.

## APPENDIX III

### THE FILING SYSTEM OF THE SECRETARIAT

By CATHERINE PASTUHOVA

All official papers (letters, notes, drafts, etc.), confidential or non-confidential, were filed and kept in the service called the Registry. This service consisted in the late thirties of three branches: Classification, Registry, and Index. Two officials were in charge of the Classification Branch, six did the work of the Registry, and four officials did the indexing. At the head of this service was the Registrar, assisted by the Assistant Registrar.

The correspondence coming to the League of Nations was received by the League of Nations Post Office, which transmitted the official correspondence to the Registry. The term "official correspondence" included all correspondence addressed to: the League of Nations, to the Secretary-General and the Under Secretaries-General of the League of Nations, to the directors of different sections, or to the sections and services of the League of Nations. Some of the sections and services received their mail directly from the Post Office. These were:

Library  
Personnel Office  
Accounting Branch and Internal Control  
Treasury  
Radio-Nations Wireless Station  
Epidemiological Intelligence Service  
Publication Service

But in principle the Registry received all correspondence addressed to the sections, and only letters marked "Personal" or "Private," or letters bearing the name of an official other than the Secretary-General, were delivered personally to the addressee.

Each section had a classification number under which was filed all the correspondence concerning that section, as follows:

1. Political Section
2. Administrative Commissions (the Saar Basin, Danzig, Memel)
3. Legal Section
4. Minorities Section
5. Intellectual Cooperation and International Bureaux Section
6. Mandates Section
7. Disarmament Section
8. Health Section
9. Communications and Transit Section
10. Economic and Financial Section
11. Social Questions Section
12. Opium Section
13. Information Section

14. Council
15. Assembly
16. Library
17. Treasury and Finances of the League of Nations
18. Internal Administration
19. Publications
20. Refugees
50. General correspondence on various subjects concerning the League of Nations.

Numbers between 20 and 50 were left open for additional sections.

Each section had a special register, and the correspondence was classified by subject under a letter of the alphabet. Under the letter "A" was classified the general correspondence on subjects concerning the work of the section; under the letter "B" was classified the correspondence about the composition of the permanent committee set up by the Council of the League of Nations, as well as the exchange of correspondence with the members of such a committee. Thus, for instance:

- 9 was the number of the Communications and Transit Section.
- 9A was reserved for general correspondence with the Transit Section on various questions concerning the Transit Organization.
- 9B was reserved for the composition, functioning, and correspondence of the Permanent Committee for Communications and Transit.
- 9C was reserved for Maritime and Inland Navigation.
- 9D " " " Passport Facilities.
- 9E " " " Electrical Questions.
- 9F " " " Road Traffic and Road Signals.
- 9G " " " the Wireless Station of the League of Nations.
- 9H " " " Aerial Navigation.

### *System of Classification*

Each file had three numbers: the first indicated the section; the second indicated the incoming number of the first letter or document of the file; the third indicated the number of the series. For example, in the series "Correspondence with the Members of the Permanent Committee," the first file might have the number 9B/354/354. Each file, or folder, of each member of that permanent committee would have the same first and the same last number, but a different middle number.

The procedure for determining the middle number was as follows:

Mail arrived from the Post Office in the morning and was sorted at once by the Classification Branch. All new correspondence received on a given day was numbered in sequence: these numbers composed the middle numbers. For example, we may say that the Belgian Member was the first to write about the Permanent Transit Committee. His letter received the number 354, therefore 354 started the series of the correspondence with the members of the Permanent Transit Committee. The French Member of the same committee wrote three months later; his letter arrived on a day when the sequence number was 852. The first and the last numbers of his file would be the same as those of the Bel-

gian Member, but the middle number would be 852. From the Dutch Member a letter arrived, a month later, when the sequence number was 977. The first and last numbers would be the same as those of the Belgian and French members; the middle number would be 977. The middle numbers of a certain series could not, as a rule, be in consecutive order.

The page of the Transit Register containing the entries relating to this file would read as follows:

					Page 9B/1
<i>Title:</i> Permanent Transit Committee					
<i>Subtitle:</i> Composition and Correspondence with Members					<i>File number:</i>
Correspondence with the <i>Belgian</i> Member					9B/354/354
"	"	"	"	<i>French</i> Member	" 852 "
"	"	"	"	<i>Dutch</i> Member	" 977 "

#### *Exceptions concerning the Middle Number*

For the series containing the correspondence with the Governments-Members of the League of Nations, classified under the number 50, the alphabetical order of the States was adopted, as a matter of convenience. Files were opened for all member States, and in this case the middle numbers were consecutive. Such a page of a General Register 50 would read as follows:

					Page 50/2
<i>Title:</i> Correspondence with Governments-Members of the League of Nations					<i>File number:</i>
Correspondence with the Government of Afghanistan					50/120/120
"	"	"	"	" Union of South Africa	" 121 "
"	"	"	"	" Albania	" 122 "
"	"	"	"	" Argentine	" 123 "
"	"	"	"	" Australia	" 124 "
"	"	"	"	" Belgium	" 125 "
"	"	"	"	" Bolivia	" 126 "
"	"	"	"	" Great Britain	" 127 "
"	"	"	"	" Bulgaria	" 128 "
"	"	"	"	" Canada	" 129 "
"	"	"	"	" Chile	" 130 "

Consecutive numbering was also adopted for delegations at each session of the Assembly of the League of Nations. This practice was the only exception to the general rule.

The States non-members of the League of Nations had a special entry page, with a different series number (not 120), and were classified in the ordinary way, i.e., if the Government of the United States of America were the first government to send a letter to the Secretariat of the League of Nations, the incoming number of this letter started the series of the page, entitled: "Correspondence with governments non-members of the League of Nations."

### *Duties of the Three Branches*

The duties, briefly, of the three branches — Classification, Registry, and Index — were as follows:

The *Classification Branch* sorted the correspondence and put numbers on each letter or document. The letters were placed in files, or folders, and sent to the Registry. Attached to each folder was a pink slip with the number of the page of the Section Register on which the number of the new file should be entered by the proper member of the Registry. The title and the subtitle given by the Classification Branch were also included on the pink slip.

#### PINK SLIP

*Section:*

*Title:*

*Subtitle:*

*Page of Register:*

The *Registry* entered the number of the file (folder) in the appropriate Section Register, wrote the title and the subtitle on the folder, and numbered and classified the correspondence in each folder.

The *Index* Branch entered on the index cards all the new correspondence included in the file received from the Registry.

### *Procedure for Starting and Circulating a New File*

#### (a) Classification

The Classification Branch gave a number to a new letter, or document, and put it in a folder. On all the League of Nations folders, items corresponding to the following appeared:

## SERIES 1927-1937

LEAGUE OF NATIONS

SOCIÉTÉ DES NATIONS

TRANSIT

9B

354

354

*Permanent Transit Committee*

## Correspondence with the Belgian Member

I Transit Section	5/9/36	
II-V Transit Section	10/9/36	
Transit Section (by req.)	5/12/36	
		Precedent Number: — Next Number: 1852 Series 1919-1927 — 9B/263/263

## (b) Registry

When the file was ready for the Registry, it was sent to the proper official, who entered its number and title on the appropriate page of the Section Register. Each folder contained a schedule (list of documents) divided into two parts, each line numbered. On the left was entered the name of the sender and the date of his letter. On the right was entered the date of the answer:

## SCHEDULE NO. I

1. Mr. Smith	5/8/35	Acknd.	15/8/35
2. Do	20/8/35		
3.		Mr. Smith	12/6/36
4. <del>Mr. Smith</del> (removed by Section)	20/6/36		

No correspondence could be removed from the file, unless the Registry was notified by the section concerned. In such a case the Registry marked on the schedule: "removed by . . . Section." All the documents were held by a metal-tipped cord drawn through holes punched in the left upper corner of the file and of the documents. The copy of the reply was placed directly on top of the original letter: thus, the letter received last was on top in the file, and the first letter placed in the file was at the end.

The number of the schedule was written on the front of the file preceding the name of the section to which the file was sent: for example, I Transit Section, 5/9/36, the date the file was sent (see above).

When a section requested a file, and no new documents were added by the Registry, the words "by request" followed the name of the section (see page 455). In such a case no number preceded the name of the section.

The date when the file was returned to the Registry was not recorded on the front page of the folder, but was recorded on the cards of the Classification Branch which dealt with the sending out of the files and the registering of their return. The date of return was recorded on the front of the folder only when the section had kept the folder for a very long time, and thereby had held up normal circulation of the file.

If the letter, document, or telegram requiring a new file was of an urgent character, a slip marked "Urgent" or "Very Urgent," was placed on top of the file. All letters received in the latest mail were marked "Priority" and were dealt with immediately after the ones marked "Urgent." When files left the Registry all the slips except those marked "Urgent" were removed.

### (c) Index

When the work on the file was completed in the Registry, the file was sent to the Index Branch, where the letter, or document, was indexed in the Name Index and in the Subject Index. For instance, a letter from a doctor written on a special subject, Tuberculosis, Rabies, or Cancer, was indexed on a card bearing his name and indicating where all previous correspondence with him was to be found (Name Index) and on a card bearing the name of the disease (Subject Index).

#### CARD OF THE NAME INDEX

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*Dr. Smith, Walter*

3/8/35 — new discovery in treatment of tuberculosis 8D/1871/270  
 9/8/35 — acknd. — 8D/1871/270  
 5/11/36 re: treatment of cancer 8F/2764/352  
 10/11/36 acknd. — 8F/2764/352  
 1/12/36 to: concerning next meeting Health Committee — 8B/1274/375  
 5/12/36 from: suggests a different date for meeting — 8B/1274/375

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#### CARD OF THE SUBJECT INDEX

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*Tuberculosis*

3/8/35 from Dr. Smith, Walter, re: new discovery in treatment — 8D/1871/270  
 9/8/35 — acknd. — 8D/1871/270  
 6/9/35 from Dr. Jones, Charles, results of researches, asks docts. — 8D/1942/270  
 11/9/35 — acknd. and docts. sent — 8D/1942/270  
 5/10/35 — tel. from Dr. James, B. F., asks docts. — 8D/1989/270  
 8/10/35 — docts. sent — 8D/1089/270

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The official who indexed the letter marked his initials on the right upper corner of the letter, thus indicating that the letter had been entered on the right card. Upon the return of the file to the Index Branch, after action had been taken by the "action section" and before the file was placed in a filing cabinet, another official of the Index Branch verified the correct entry of the letter in the Name and Subject Indexes.

### *Classification*

The file with the duly indexed letter was returned to the Classification Branch, where a card was made out with the middle number of the file number printed in heavy type, three-quarters of an inch high:

Section 9B	852	Series: 354
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*Title:* Permanent Transit Committee

*Subtitle:* Correspondence with the French Member

	Date		Date
Transit Section	11/9/35		
Returned	12/9		
Transit Section (by req.)	25/10		
Returned	27/10/35		

The cards in the Classification Branch were kept in two sections, "in" and "out" drawers, in order to indicate immediately whether or not a file was in the Registry. If the file was "out" the card showed where it was, the date sent, and the previous circulation of the file. Because these cards were filed in the sequence of the middle number, only the middle number was used in calling for information about the file.

After the above card was made out, the file was taken by messenger to the "action section." In the case above, the "action section" was the Transit Section.

### *Time*

Normally it took about fifteen minutes to start a new file, to have it entered in the appropriate register, indexed in the Name and Subject Indexes, and marked on the cards of the Classification Branch. It took from five to ten minutes to take the file to its destination, according to its location in the League of Nations Building.

If a letter or document had to be added to a file, this file was promptly brought to the official of the Registry dealing with that particular subject, and it took no more than five minutes for it to be entered on the schedule, indexed, and sent out.

If the file contained urgent communications, or if the section needed it urgently for a meeting, the file was directly dispatched by messenger to the section requesting it.

Messengers usually arranged to distribute files on a given route. The file or files were handed to the secretary of the section, who was responsible for the record of files received and circulation of them in her section.

### *Confidential Files*

If the contents of the file were confidential, notation of that fact was made in two places only: first, the front page of the file was stamped with the word CONFIDENTIAL in large red letters, and a file so stamped was always sent out in a sealed envelope. Secondly, the classification card was stamped with the word CONFIDENTIAL, in red, in the top center of the card.

Confidential files were sent in sealed envelopes in the ordinary way to sections to which these confidential files belonged. If a section requested a confidential file of another section, the Registry asked the permission of the "action section" before sending the confidential file. If the section already had an authorization from the action section, the confidential file was handed over to it by the Registry on presentation of this authorization in writing.

There existed only a few secret files, one of which contained the minutes of the secret meetings of the Council of the League of Nations. These files were kept by the Registrar himself, in his office, under lock and key, and the schedules and the numbering of the documents were made in his office by the official dealing with the Council documents, or by the Assistant Registrar. These secret files could be consulted only by the Secretary-General and the Under Secretaries-General, and were brought to them in sealed envelopes by a responsible official of the Registry, not by a messenger.

### *Daily Synopsis*

When a letter or telegram from a government arrived, concerning, for example:

- 1) the appointment of a delegate to the League of Nations;
- 2) an appeal to the League of Nations;
- 3) the bringing to the attention of the League of Nations of certain facts or decisions of important character;
- 4) the request for a special session of the Council or the Assembly;
- 5) frontier incidents;
- 6) the bringing to the attention of the Assembly, or the Council, of circumstances threatening to disturb international peace;

green sheets were used which contained a short summary of the letter, telegram, or document, written by an official of the Registry. A copy of this résumé was

sent to the Information Section before 9.30 a.m., and all these résumés were issued in a special document called the "Daily Synopsis." The "Daily Synopsis" was considered a confidential document and was intended for circulation only within the Secretariat. Letters from well-known individuals reporting important proposals or discoveries were identified in the file by an attached green sheet.

## GREEN SHEET

	Number of file
<i>Sender:</i>	<i>Title of the file</i>
<i>Date:</i>	R É S U M É

## REMARKS

*Advance Copies*

Copies of certain important communications received by the Registry, as well as copies of letters advising of the nomination of delegates to the League of Nations, to the Council, or the Assembly of the League of Nations, were sent to the heads of the departments as "Advance copies." These advance copies were made in the language in which they were written, even if it was not one of the official languages of the Secretariat of the League of Nations. No translation of these communications was made in the Registry.

*Out-letter Files*

The sections were responsible for placing in the files two copies, on heavy paper, of each outgoing letter. One of these copies was placed in the file, on top of the letter which it answered, and the other was inserted, in chronological order, in special "out-letter files" containing the copies of outgoing letters of the given section. Thus, the copies of outgoing letters of the Legal Section were classified in chronological order in separate "out-letter files" marked according to the number of the section: 3A, 3B, 3C, 3D. When letters, or telegrams, were dispatched to different persons, or governments, but had an identical text, it was unnecessary to send to the Registry two copies of each letter; two copies of the communication were sufficient, and the names of the addressees were listed in the right upper corner. Since the name of the addressee was always on the left lower corner of the letter, the official of the Registry classifying the copies of the outgoing letters in the "out-letter files" wrote the name of the addressee in the right upper corner for convenience in locating in a file a particular copy.

*Jackets*

When the contents of a folder became too bulky to be easily handled, a new jacket (or folder) was started, each marked in heavy print "Jacket No. 1," "Jacket No. 2." When a new jacket was started, the preceding one was marked "Continued in Jacket No. . . ."

*Bulky Enclosures*

The drafts of reports of members of the Council, or of the committees, and the original minutes bearing the corrections on the drafts were kept in special files called "Bulky Enclosures." These files had the same number as the file containing the final text. They were not circulated because of their volume and were kept in a special room in the basement of the building of the Secretariat of the League of Nations. A note was placed in the file mentioning the existence of the "Bulky Enclosures" file which could be consulted by the section concerned in the same way as the other files of the Registry.

*Notes Written by Members of the Secretariat*

Notes written by officials of the Secretariat were indexed in the Name and Subject Indexes and were thus within easy reach. Very often the Council of the League of Nations, or a special committee, entrusted to a section of the Secretariat the study of a question, and each member of the section wrote a note about it. These notes were put in one file under the subtitle "Notes by Members of the . . . Section," and this file was indexed and circulated in the usual way. With the help of the Name and Subject Indexes it was easy to find any notes written in the Secretariat by its members on a given question, even after a great lapse of time.

*Reports on Missions*

An official of the Secretariat returning from an official mission sent a report to the Secretary-General. Such a report was placed in a separate file, entered on a page of register 50, called "Missions," and noted in the Index under the name of the official, and in the Subject Index. Such a report was mentioned in the "Daily Synopsis," and the file was sent first to the Secretary-General, who usually initialled the report, wrote a brief note of appreciation, and gave a list of sections or of officials who should see the report. To speed the circulation of such a file, the official of the Registry in charge of it noted the list in his diary and saw to it that the file was not kept more than five days in one section. After this period the file was picked up by a messenger and sent out to another section to continue the circulation of the file. If the section did not finish reading the report in the period of five days, a note was attached to the file: "Please return

to . . . Section after the circulation is completed," or the official who wrote the report was asked to supply an extra copy to the section concerned. At the end of the circulation the file was returned to the author of the report in order that he might acquaint himself with the remarks and opinions concerning it expressed on the green sheet by different sections or by officials of the Secretariat.

### *Rules for the Circulation of the Files*

The sections could not forward the files from one section to another without notifying the Registry, which marked on the outgoing card "passed to . . . Section." But the normal procedure was to send the file back to the Registry with a slip asking that the file be sent to a certain section. The Registry marked the file "in" and handed it over to the responsible official of the Registry. The file was put in order, i.e., the letters were numbered and entered on the schedule, and second copies of the outgoing letters were removed and the new correspondence duly indexed; only when all this was done could the file be sent out of the Registry.

No documents were circulated without files. In case documents were sent to the Registry without a file, they were put into one, if such a file existed. In case no file existed, one was established by the Registry before the documents were circulated. Such a system prevented the loss of documents during circulation. Only directors or heads of services could, in exceptional cases, take the file home, and the Registry had to be notified in each instance. The files had to remain in the Secretariat of the League of Nations, and the secretary of section, before leaving the office, had to put the confidential files under lock and key.

When the Registry received a letter or communication which was to be added to a file that was at the moment in the action section or in circulation, the Registry did not send the letter separately to the section concerned. A messenger was sent to fetch the file. If he found it on the desk of an official when this official was out of his room, the messenger left a slip stating that the file had been taken by the Registry and would be sent back as soon as possible. Usually, however, the messenger asked the secretary of the section to find the file and the secretary handed it over to him.

If the letter or communication was very urgent, and the file could not be obtained immediately, the communication was sent separately in an envelope by special messenger to the section concerned (the action section), and a card was attached to the classification card naming the document sent separately, and giving the number of the file. Before sending the document separately, it was duly indexed in both indexes. By following this system no document was ever lost, or unaccounted for. Further, every three months all files were recalled, checked, put in order, and returned to the section using them. Usually files were promptly returned after use to the Registry to be put in order and indexed.

*Method for Requesting a File*

When the section knew the number of the file requested the secretary telephoned to the Classification Branch, which could immediately tell whether the file was "in" or "out." The request was then delivered to the official of the Registry dealing with the files of this particular section. If the file was in the Registry, it was brought to the official, who noted the name of the section and the date on the cover of the file before it went to the Classification Branch to be sent out. By this method the official of the Registry always knew exactly where the files referring to the work of a particular section were sent. Usually the secretary of the section telephoned directly to the official of the Registry who was dealing with the files of her section. The Index Branch also received telephone calls from officials of the Secretariat who knew the name or the subject of the file required, but did not have the number of the file.

When a section was expecting a particularly urgent communication (letter or telegram), the secretary of the section notified the Registry. In such a case necessary steps were taken by the Registry to ensure a prompt delivery of the document, without any delay, to the section concerned. If this letter or telegram arrived after office hours, but before 7.30 p.m., the official of the Registry on late shift sent a special messenger to deliver the document to the section concerned. Before sending the document, however, the official of the Registry duly noted it in both indexes and on the classification cards. After 7.30 p.m. urgent communications were received by the official on night duty.

*Keeping of the Files*

The files were kept in steel cabinets and classified by sections. Each drawer contained one or more series. Each series was tied with a white tape, in order to find the particular series more easily if the drawer contained more than one. There were about eight messengers in the Registry whose task was to put the files in order in the filing cabinets, to get them out for the officials of the Registry, or for the sections which asked for them, and to record them on the cards of the Classification Branch. Each drawer was marked with the number and letter of a section and, beneath, with the numbers of the series it contained.

The confidential files were kept separately in a special room, also in steel cabinets, but under lock and key. The keys of these cabinets were kept by the Registrar, and the official who stayed on late shift was told where to find them. A special fireproof room in the basement of the Secretariat was built to contain the "Bulky Enclosures" and the confidential files. This room had a special door and a secret lock and key.

The current series were kept in the rooms of the Registry, Classification, and Index Branches to be at hand when requested. After office hours all the steel cabinets, even those containing non-confidential files, were kept locked. Half of the basement of the building of the Secretariat was occupied by the archives.

*Series*

The Registry started its work in the first days of the existence of the League of Nations, when the Secretariat of the League of Nations was in London. After eight years the classification numbers reached 30,000, and it was decided to start a new classification beginning with number 1. The files of this first period were white and were marked "1919-1927 Series," the files of the second period were brown (manila) and were marked "1927-1937 Series"; the files of the third period were the same brown but with a red corner. The series "1919-1927" and "1927-1937" were kept in the basement. On each file was marked the number of the preceding series. When the new classification started, both files, the one of the new series and that of the old, were sent out together. It was decided to start new numbers every ten years in order to avoid long numbers, because it was easier to remember short ones and to dictate them over the telephone.

*Advantages of the System*

The system of archives of the League of Nations was an adaptation of the classification system of the British Foreign Office. It worked well and every communication, even unimportant communications received far back, could be traced in a very short time. Requests were made sometimes for communications received in the early years of the League of Nations. No name or precise date was given, but the official of the Registry who was dealing with such a request could find the communication in the "Subject Index" under the subject dealt with in the letter. If only the name was given, with no indication as to the subject, the letter could be traced in the "Name Index." If the name was unknown, but the official of the Secretariat making the request remembered that the person was an official of a certain government, or a member of a particular international body or scientific organization, the letter could be traced on the cards of the "Name Index" listing the correspondence with the said government, or with the international body or scientific organization. If the official making the request knew only the approximate date of the letter for which he was looking and could remember neither the name, nor the exact subject, but knew that an answer had been sent by the Secretariat, such a file could be traced in the "out-letter files" of the section concerned.

Any file could be located without delay by the Classification Branch, since each file had a card on which the dispatch and receipt of the file were accurately noted. For the same reason no document could ever be mislaid or lost.

## APPENDIX IV

### APPROVAL AND PREPARATION OF DOCUMENTS<sup>1</sup>

The following rules are excerpts in summary form of Chapter V of the Secretariat Office Rules regarding Approval and Preparation of Documents.<sup>2</sup>

Before a proposal for the issue of a document or for the collection of information with a view to publication is adopted by a League Committee or decided upon by a Section in the Secretariat, the action Section shall ascertain whether any existing publication covers the same ground or whether the information is already available through answers to previous enquiries or otherwise. The action Section has the duty to warn those concerned if it sees any risk of unnecessary publication or enquiry. (114)

Secretaries of committees shall bring to the notice of committees as occasion may require a recommendation of the Supervisory Commission, adopted by the Assembly in 1928 aiming at the limitation at one meeting of the amount of material which is to form the basis of their discussions at the next. (115)

Sections shall ensure that documents submitted for issue contain no unnecessary material and are written as clearly and briefly as possible. The possibility of summarizing certain material instead of reproducing it in full shall be examined in each case. In many cases, it will be sufficient to indicate that certain material (especially annexes) is available for consultation in the Secretariat (117)

(1) The Chief of the Document Service shall not proceed with the issue of any documents or parts of documents which seem to him unnecessary. Should the Section concerned not accept his view, he shall refer the matter to higher authority for decision.

(2) The Chief of the Document Service shall be responsible for the correction or improvement of the language, style or presentation of the text submitted, shortening or adapting it as he may think necessary, for its translation into the other official language of the League, for the correlation of the texts in the two languages, etc. He shall consult, when necessary, the Section concerned. (121)

Documents requiring the approval of the Secretary-General (documents for circulation to the Assembly, Council, or Members of the League as a whole, other documents dealing with matters of political importance, etc.) shall be sent to the Secretary-General in the first place, and secondly to the Chief of the Document Service. (122)

(a) The action Section shall indicate to which body the document should be circulated and, especially, whether it should be circulated to the Members of the League.

(b) Documents circulated to the Council are normally circulated to the Members of the League at the same time as to the Council.

<sup>1</sup> See chapter on "The Individual Administrative Units," *supra*, pp. 137-38.

<sup>2</sup> *Secretariat Office Rules, op. cit.*, pp. 50-54

(c) When a document circulated to the Council is not sent simultaneously to all the Members of the League, Sections shall consider whether there are certain Governments which should receive copies. (123)

(a) Having settled the prior question of official circulation of a document, the action Section shall consult the Information Section regarding circulation to the Press. (124)

(a) In proposing the issue of a document, Sections should consider whether it would be sufficient for the document to appear in the *Official Journal* only, no separate circulation being made. This procedure can be adopted even if a limited number of copies is required for distribution separately from the *Journal*. (125)

For reasons of special urgency, modifications of the above rules may be decided upon by the Chief of the Document Service. (128)<sup>3</sup>

<sup>3</sup> The special position of the "Editor" has been described in the chapter on "The Individual Administrative Units," *supra*, p. 137.

## APPENDIX V

### TRAVELING AND REMOVAL EXPENSES AND SUBSISTENCE ALLOWANCES

The following are the chief stipulations and rules governing traveling and removal expenses and subsistence allowances:<sup>1</sup>

#### *Traveling*

Officials and the families of officials entitled to travel at the expense of the League, must, as far as possible, obtain tickets through the Secretariat. Officials obliged to make their own arrangements must travel by the ordinary route. Authorization for travel by air must be obtained in advance in order that arrangements for insurance may be made.

Every journey undertaken at the expense of the League and every absence in respect of which subsistence allowance may be claimed, must be authorized by a warrant (*ordre de mission*). In the case of the highest officials, payment of expenses and allowances will be made "on their certifying the official character of the journey or absence in question."

In case of any disputes or difficulties arising in the application of the rules governing traveling and removal expenses, the advice of the Administrative Committee will be taken.

#### *Subsistence Allowances*

The underlying concept in fixing the rates of subsistence allowances was that they were "compensatory and not in any way remunerative."<sup>2</sup> This explains

	Up to Jan. 1, 1934, and from Jan. 1, 1937 <sup>3</sup>	Jan. 1, 1934 till Dec. 31, 1936
	(Swiss Francs)	
Chiefs of Section and officials of higher rank . . . . .	54.00	47.50
Other officials of the First Division, and officials of the Second Division, Category I . . . . .	37.50	33.50
Other officials . . . . .	28.50	25.50
In cases where inclusive passage is paid by the Secre- tariat (for instance, boat travel)		
Officials traveling first class . . . . .	14.00	13.00
Officials traveling second class or by boats having no first class . . . . .	9.00	8.00

<sup>1</sup> The full text of these stipulations will be found in Annex III of L.N. Secretariat, *Staff Regulations*, 1933, pp. 56-66, and Amendments Nos. 5 and 9 of December 30, 1933, and 1936.

<sup>2</sup> *Ibid.*, Amendment No. 9 (December 30, 1936).

<sup>3</sup> The reversal to the original position effected as from January 1, 1937, was not as complete, however, as the above figures suggest. Amendment No. 9 to the Staff Regulations of 1933 stipulates that "ten per cent reduction will be made after the tenth day, and a twenty per cent reduction after the thirtieth day spent in the same place," and that officials

why they were established at a low level as compared with other provisions from which League officials benefited. As a matter of fact they were in many cases insufficient to cover the actual expenses incurred by officials on League missions. This was particularly true in the Far East, where local customs compelled emissaries of the League to emulate the often hybrid style of life of the local white residents.

The Secretary-General is entitled to fix special rates of subsistence allowance where he is satisfied that the above rates are too high or are not sufficient to defray the extra personal expenditure necessitated by the official's displacement.<sup>4</sup>

### *Removal Expenses*

The obligations of the Secretariat in regard to transport of furniture and effects are limited to reimbursement of the cost of removal and the payment of the insurance premium, within the limits provided in the Staff Regulations. The Secretariat assumes no responsibility towards the transport enterprise effecting the removal. Reimbursement of removal expenses and insurance premiums will be made on production of receipts showing payment of the sums in question. A reasonable time before the removal, officials will send to the officer in charge of Internal Administration their request for such payment accompanied by estimates from three different transport undertakings. The maximum quantity transportable at the expense of the League is normally 60 cubic meters.

Only one consignment of furniture and effects belonging to any official will normally be transported at the cost of the League.

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who "do not have to pay for their accommodation and/or meals, will be expected not to claim more than such part of the allowance due to them as is necessary to cover their out-of-pocket expenses."

<sup>4</sup> After the devaluation of the pound sterling, lower subsistence allowances than those generally applying were fixed for officials on mission in England.



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<sup>1</sup> In addition to the publications listed, a number of miscellaneous documents on specific questions such as finance, administration, etc., were used in the preparation of this study. Their titles, serial numbers, and identification symbols are cited in the respective footnotes referring to information gathered from these documents.

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<sup>2</sup> Entries of the serial publications are not exact titles, as these vary from year to year.

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## INDEX



## INDEX

- Abbreviations, xix  
 Accounting Branch. *See* Treasury  
 Administration. *See* International administration; National administration  
 Administrative Commissions and Minorities Questions Section, 83, 86, 109.  
*See also* Minorities Questions Section; Political Section  
 Administrative Commissions Bureau, 86, 102, 109, 110, 111  
 Administrative Committee, 136, 147, 263  
 Administrative Tribunal, 46, 259-62  
     Assembly resolution on, 260  
     competency, 260-61  
     composition, 260, 261  
 Administrative units. *See* General Sections and Services; Internal Administrative Services; Specialized Services  
 Advisory committees. *See under* Committee  
 Age distribution, 345-47, 433  
 Age limits, 301 n., 346  
 Agreements. *See* Conventions, treaties, agreements  
 Air Navigation Committee, International, 131  
 Allen, Sir James, 300, 335, 351  
 American Social Hygiene Council, 127.  
*See also* Social Questions Section  
 Ames, Sir Herbert B., 106, 274; *cited*, 226  
 Annual leave, 298-99  
 Anzilotti, Commandatore D., 404  
 Appointments, 316-22  
     Assembly resolution on, 258  
     committees on, 44, 245, 262-63, 318-19, 334, 335-36  
     confirmed by Council, 43, 259, 316  
     probation, 319-20  
     procedure, 43, 44, 316-17  
     Secretary-General and, 43-46  
     Staff Regulations on, 316, 317  
     termination of, 317, 318, 319, 320-22  
*See also* Recruitment  
 Arts and Letters, Permanent Committee of, 132  
 Asia, 68, 433  
 Assembly, 21, 22, 29, 56, 86, 128, 131, 148, 154, 162, 167, 202, 204-5, 211, 219, 224, 227-28, 229, 230, 231, 256, 278, 293, 300, 311, 335  
     committees of, 22, 167. *See also* Fourth Committee  
     delegation of powers in the crisis, 24, 45, 373, 378-79  
     meeting place of First Assembly, 413-15  
     on appeals to Council, in cases of dismissal, 259-60  
     on creation of a commission of control, 22  
     powers with respect to salaries, 168, 292, 293, 296  
     press and, 209-10, 212  
     resolutions on:  
         Administrative Tribunal, 260  
         category of highest officials, 62  
         contracts, 293, 301 n.  
         Deputy Secretary-General, 63-64, 65  
         diplomatic visas and passports, 269, 270  
         economy, 171  
         future appointments, 258  
         increasing authority of Secretary-General and Supervisory Commission, (1938, 1939), 24, 373, 378-79  
         private secretariats, 61  
         staff lists, 240 n.  
         technical organizations, 157  
         Under Secretaries-General, 59, 61  
         women in Secretariat, 367  
     Rules of Procedure of, 38, 97, 450  
     Secretary-General and, 24, 38, 39, 45, 49, 51, 373, 378, 428, 429, 450  
     Supervisory Commission and, 22-24, 373, 378-79  
 Attolico, Bernardo D., 62, 119  
 Audited Accounts, 25  
 Austria-Hungary, 77-78  
 Avenol, J., second Secretary-General, 39, 100, 153, 402  
     offices of, 48, 54  
     personality of, 48  
     resignation of, 378-81  
     rôle of Deputy under, 56  
 Azcárate y Florez, P. de, 44, 61, 64, 65; *cited*, 94

- Baker, Philip, *cited*, 14, 16  
 Balfour, A. J., 25, 276, 402. *See also* Balfour Report  
 Balfour Report, xix, 25, 26-27, 81, 351  
 Barnes, G. N., 301  
 Bartosch, Ferdinand, *cited*, 57  
 Basdevant, Jules, 258  
 Beeding, Francis, 409  
 Beer, G. L., 117, 362  
 Benoist, Charles, 410  
 Bernstorff, Count A., 30  
 Bethlen, Count István, 234  
 Bonnet, Henri, *cited*, 131, 132 n.  
 Bonsal, Stephen, *cited*, 366, 410, 411, 412  
 Bourgeois, Léon, 16, 131  
 Branch offices, 87, 88, 187-90, 208, 241, 375  
     abolition, 188, 190  
     correspondents, 187-88, 189, 361  
     functions and activities, 188-89, 190  
     relation to Information Section, 187  
 Brecht, Arnold, *cited*, 373  
 Breycha-Vauthier, A., *cited*, 106, 107, 111, 218  
 Bruce, S. M., 164. *See also* Bruce Report  
 Bruce Committee. *See* Bruce Report  
 Bruce Report, xix, 25, 31, 157, 163-66, 426  
 Budget of League, 160, 167, 168, 223-28, 433  
     Assembly and, 21, 224, 227-28  
     Committee on Budgetary Economies, 87  
     control of, 223, 226-27  
     evolution of, 223-26; table on, 224  
     ILO, 224, 339  
     nationality distribution in Secretariat and, 353-54, 359, 360, 361  
     over-budgeting, 227-28  
     Permanent Central Opium Board, 123  
     Permanent Court of International Justice, 224, 330  
     publication of, 25  
     salaries, 168, 226. *See also* Salaries  
     Secretariat, 224-25  
     Secretary-General and, 39, 145, 167, 223-24, 227, 228, 429  
     Supervisory Commission and, 24, 227  
     technical activities, 158-61  
     Treasury and, 226-27  
     working capital fund, 228  
 Buero, J. A., 105  
 Buildings and grounds, 229-31; inviolability of, 231-35  
 Bülow, Bernhard von, *cited*, 405 n.  
 Bureau for Liaison with Latin America, 188, 189  
 Burns, C. Delisle, *cited*, 287-88  
 Burton, Margaret E., *cited*, 22  
 Butler, Harold, *cited*, 244  
 Cabinet, 60, 153, 156, 386, 430  
 Cagne, André, *cited*, 50, 256, 258-59  
 Calderwood, Howard B., *cited*, 110  
 Carte de légitimation, 268-69  
 Castañini, V., 117  
 Cecil, Lord Robert (Viscount Cecil of Chelwood), 47, 49, 62 n., 365, 366, 402, 411, 412-13  
 Central Committee for Economic and Social Questions, proposed, 164, 165, 426  
 Central International Office for Control of Trade in Spirituous Liquors in Africa, 131  
 Central Opium Board. *See* Permanent Central Opium Board  
 Central Section, 86, 87, 88, 144, 146, 147, 148, 149, 156, 171, 179, 216, 281  
     functions, 100-1, 148  
     history, 100  
     staff, 101  
 Central Service of the High Commissioner for Refugees, 86. *See also* Nansen International Office for Refugees; Refugees  
 Central Stenographic Service. *See* General Stenographic Service  
 Chamberlain, Sir Austen, 140  
 Chief of Section, 101, 103, 109, 125, 177, 280-81, 285  
 Child Welfare Committee, 126-27  
 Child Welfare Information Center, 127  
 Churchill, Winston, vii  
 Classification of staff, 279-89, 432-33.  
     *See also* Officials  
 Colban, Eric, 94  
 Collaborators, Temporary, 205, 341-42  
 Comert, P., 202, 276 n., 334  
 Commission  
     Chinese Reconstruction, National, 185  
     Epidemic, League, 120  
     League of Nations, 15, 16, 35, 42, 49, 232, 365, 366, 411, 412, 413  
     Mandates, 116, 117, 149, 219  
     of Enquiry into European Union, 112  
     Permanent Advisory, 129, 130

- Permanent International Civil Service,  
proposed, 46  
Supervisory. *See* Supervisory Commission
- Committee
- Administrative, 136, 263
  - Air Navigation, International, 131
  - Bruce, 25, 31, 157, 163-66, 426
  - Child Welfare, 126
  - Contract, 136
  - Demographic, 114
  - Drafting, 137
  - Economic, 112, 113
  - Financial, 113
  - Fiscal, 113
  - for Economic and Social Questions,  
Central, 164, 165, 426
  - for the Protection and Welfare of Children and Young People, Advisory,  
126-27
  - Fourth. *See* Fourth Committee
  - Health, 120, 121
  - Internal, 318
  - Judicial, 136
  - Mixed Nutrition, 114
  - of Arts and Letters, Permanent, 132
  - of Enquiry. *See* Committee of Enquiry of Experts, 27, 386 n., 387. *See also* Noblemaire Report
  - of Experts for Instruction of Youth, 132
  - of Experts on Slavery, Advisory, 117
  - of Jurists, 168, 257-58, 260, 293
  - of Organization of the League, 25, 26, 82
  - of Statistical Experts, 113, 114
  - of the Paris International Health Office, Permanent, 120
  - of Thirteen. *See* Committee of Thirteen; New Committee of Thirteen
  - on Allocation of Expenses, 114
  - on Appointments and Promotion, 44, 245, 262-63, 318-19, 334, 335-36
  - on Budgetary Economies, 87
  - on Communications and Transit League, 118, 213
  - on Intellectual Cooperation, International, 131
  - on International Loan Contracts, 113
  - on Social Questions, Advisory, 127, 149, 157, 186
  - on the Teaching of the Principles and Facts of Intellectual Cooperation, Advisory, 132
  - Opium Advisory, 123, 125
  - Publications, 147, 147 n., 219-20, 221
  - Purchasing, joint, 147
  - Regrading, 136, 262
  - Salary Adjustment, 291
  - Staff, 263-64, 318
  - Statistical, Inter-Secretariat, 147-48
- Committee of Enquiry (1921)
- on promotion, 305
  - on salaries, 291
  - on Secretariat activities, 392 n.
- See also* Noblemaire Report
- Committee of Thirteen
- Majority Report, xix, 25
    - on administrative control, 55
    - on Chiefs of Section, 280, 281
    - on contracts, 28
    - on Counselors, 281
    - on Directors, 70
    - on Document Service, 137
    - on examinations, 333
    - on First Division, 28-29, 303
    - on languages, 329
    - on Members of Section, 281, 282
    - on nationality representation, 351, 355
    - on pension scheme, 28
    - on précis-writers, translators, and interpreters, 282-83
    - on promotion, 305
    - on publicity for vacancies, 333, 335
    - on rôle of Secretariat, 18, 19, 28
    - on salaries, 292
    - on Secretariat personnel, 30, 81
    - on Secretary-General, 30, 31, 50, 73, 367
    - on Staff Provident Fund, 28
    - on tenure, 28-29, 301
    - on Treasurer, 106
    - on Under Secretaries-General, 58, 59, 63, 70
    - on women in Secretariat, 366-67
  - summarized, 28-29
- Minority Report
- on Advisory Committee, 30, 71-72, 73
  - on Deputy Secretary-General, 55, 71
  - on Directors, 145-46
  - on Members of Section, 282
  - on Secretariat's activities, 18
  - on Secretary-General, 41, 71, 73
  - on status of personnel, 29-30
  - on tenure, 301

- Committee of Thirteen — *Continued*  
 Minority Report — *Continued*  
   on Under Secretaries-General, 58,  
   63, 145-46  
*See also* New Committee of Thirteen  
 Committees, internal, 262-64  
 Common services between Secretariat  
   and ILO, 85, 339  
 Communications and Transit Organiza-  
   tion of the League, 91, 117, 118, 119,  
   149, 158, 159, 160. *See also under*  
   Committee  
 Communications and Transit Section, 83,  
   115, 117-20, 158, 183, 185, 280, 281  
   functions, 118-19  
   history, 117-18  
   publications, 119  
   staff, 119-20  
*See also* Communications and Transit  
   Organization of the League  
 Communiqués, 204, 211  
 Compensation. *See* Salaries  
 Conferences  
   Disarmament (1932), 129, 130, 210,  
   211, 230  
   Drug Limitation (1931), 397  
   Experience in International Admini-  
   stration, xv, 3, 23, 39, 246, 286, 303,  
   308  
   Financial (Brussels, 1920), 114  
   Governmental Press Bureaus and Rep-  
   resentatives of the Press (Copen-  
   hagen, 1932; Madrid, 1933), 212  
   Maritime (Genoa, 1920), 394  
   Pan American, 186  
   Tariff Truce, 112  
   Traffic in Women and Children (Ban-  
   doeng, Java, 1937), 6, 206  
   Training for International Administra-  
   tion, 324 n., 337-38  
   World Economic (1927), 112  
 Continuity of service, 347-50  
 Contract Committee, Supplies Service,  
   136  
 Contracts, 256-62, 293, 302, 303, 316-22,  
   346, 432  
 Conventions, treaties, agreements  
   drugs, 88, 123, 124  
   economic statistics, 113  
   Locarno, 251  
   Memel Territory, 109  
   minorities, 4, 109, 110  
   Munich Agreement, xiv, 172, 278, 378  
   obscene publications, 127  
   Peace Treaties (1919-1923), xiv, 109,  
   129, 248, 252  
   Public Health Office, 120  
   Radio-Nations, between Swiss Federal  
   Council and Secretary-General, 195-  
   96  
   slavery, 117  
   *See also* Registration of treaties  
 Coordination of work, 144-51  
   committees, internal technical, 147-48  
   interrelation of services, 146-51  
   Secretary-General, rôle of, 144-46  
 Corbett, Percy E., *cited*, 271  
 Correspondence of Secretariat, 175-79,  
   182  
   diplomatic character, 175-76  
   Secretariat Office Rules on, 177-79  
   special features of, 176-77  
 Correspondents. *See* Branch offices  
 Council of League, 82, 107, 123, 148, 149,  
   158, 164, 180, 202, 219, 224, 229,  
   231, 257, 378  
   and appointments, 43-44, 259, 261,  
   311, 316, 398  
   appeal to, in case of dismissal, 259-60  
   correspondence concerning resignation  
   of Avenol, 379-80  
   declaration of fidelity and. 245  
   permanent Council members, and prin-  
   cipal posts, 62, 65, 66, 67  
   resolutions on:  
     Assembly's first meeting place, 413  
     honors and decorations, 276-77  
     intellectual cooperation, 131  
     minorities, 110-11  
     seat of League, 413-15  
     staff, 26  
     technical work, 157  
   Rules of Procedure, 449  
   Secretary-General, relation of, 36, 39,  
   40, 49, 51, 428, 448, 449, 450  
   shift of power to Assembly, 23  
 Counselors, 103, 104, 177, 281, 285  
 Covenant of League, 145, 231-32, 351, 352  
   and Secretary-General: appointment  
   of, 21, 49; powers, 36, 37, 38, 40, 42,  
   43, 145, 428  
   basis of technical work, 157  
   German attitude towards, 252  
   official British Commentary on, *cited*, 38  
   parallelism with Dumbarton Oaks Pro-  
   posals, 426, 426 n,

- provisions on:  
 commercial policy, 112  
 communications and transit, 118  
 diplomatic immunity, 265, 267  
 disarmament, 129  
 equality of sexes, 365  
 international bureaux, 83-85, 131, 186-87  
 inviolability of League buildings and grounds, 234  
 mandates, 116  
 Permanent Advisory Commission, 129, 130  
 prevention and control of disease, 120  
 seat of League, 413, 413 n.  
 Secretariat, 17, 104  
 social questions, 125-26  
 treaties, 104
- Crowdy, Dame Rachel E., 126, 162, 367, 369, 403
- Customs immunity, 267
- aily Synopsis of press, 207  
 anzig, Free City of, 4, 102, 109  
 Davies, Major David, 410  
 Death and Invalidity Fund, 311-12  
 Declaration of fidelity, 240, 245-46, 247, 432  
 Decorations and honors, 276-78  
 Definitions, xvii-xviii  
 Delegates. *See* Permanent delegates  
 Delegations of non-member States, 191, 193. *See also* Permanent delegates  
 Demographic Committee, 114  
 Dennis, G. P., 409  
 Departments. *See* Organization of Secretariat  
 Deputy Secretary-General  
 Assembly resolution on, 63-64  
 Committee of Thirteen on, 55, 55 n.  
 entertainment allowance, 297  
 functions and status, 54-56  
 member of High Directorate, 53  
 nationality, 54, 64, 65, 67  
 Noblemaire Report on, 55  
 political post, 306  
 tenure of, 54, 302
- Desks  
 geographical specialization, 92, 102  
 national, 92, 208  
 deWolf, Francis Colt, 130  
 Diplomacy. *See* Protocol; *also* Officials
- Diplomatic privileges and immunities, 259, 265-73, 283, 341, 416, 433  
 appraisal, 271-73  
 Assembly resolution on, 269, 270  
*carte de légitimation*, 268-69  
 Covenant on, 265, 267  
*lettres de mission*, 268  
 military service, 271  
*modus vivendi* of 1926, 233, 265-66, 267  
 officials entitled to, 265-66  
 passports and visas, 267-71  
 permanent delegates, status of, 192  
 waiving of, 265, 266  
*See also* Buildings and grounds
- Directors, 60, 280, 285, 307  
 contracts, 432  
 duties and activities, 60  
 entertainment allowance, 297  
 First Division and, 280  
 increments, annual, 296  
 influence in shaping procedures and methods, 94-95  
 lowering of status, 155  
 meetings, 69-70, 71, 146  
 member of High Directorate, 53  
 nationality, 60, 66, 67  
 professional background of, 405  
 qualities and qualifications, 60, 93-94  
 rôle of, 60, 93-95  
 salaries, 295  
 status, 60  
 tenure, 60, 302  
*See also* High Directorate
- Disarmament Conference, 129, 130, 210, 211, 230
- Disarmament Section  
 functions, 129  
 history, 86, 128-29  
 Permanent Advisory Commission and, 129, 130  
 publications, 129  
 staff, 130
- Dismissal  
 as weapon, 254, 319  
 reorganization as basis of, 317, 318, 321, 373, 374  
 right of appeal, 259-60  
*See also* Termination of service
- Distribution of Documents Service, 136-37
- Document officers, 136-37
- Document Service, 137-41, 149-50  
 Chief (Editor), 137

- Document Service — *Continued*  
 composition, 137  
 documents, approval and preparation of, 464-65  
 Drafting Committee, 137  
 history, 137  
 interpreters, 137, 139-41, 148, 282-83, 354  
 Noblemaire Report on, 138  
 officials in (1940, 1941), 375  
 précis-writers, 137, 141, 148, 282-83, 354  
 relationship to sections, 149-50  
 staff, 137  
 translators, 137, 138-39, 148, 282-83, 354  
 Verbatim Reporting Service, 137  
*See also* Distribution of Documents Service
- Dollar, exchange rate, 225 n., 295 n.
- Dollfuss, Engelbert, 254
- Drafting Committee, 137
- Draughting Service, 143
- Drugs, dangerous, 5, 123-26, 160, 375, 398  
 conference (1931), 397  
 conventions and agreements, 88, 123, 124  
 Drug Supervisory Body, 88, 123, 124, 125  
*See also* Opium Traffic Section; Permanent Central Opium Board
- Drummond, Sir James Eric (Earl of Perth), first Secretary-General, 39, 48, 49, 54, 71, 146, 161-62, 234, 369  
 acceptance of ambassadorship, 51  
 on organization of Secretariat, 79, 80-81, 83  
 on permanent delegations, 193-94  
 on seat of League, 414  
 personality, 48-49  
 resignation, 51  
 rôle of Deputy under, 54, 55
- Dufour-Feronce, Albert, 62
- Dumbarton Oaks Conference, vii, 89, 195 n., 425; proposals, 195 n., 325-26, 425-26
- Duncan Hall, H., 397-98
- Duplicating Service, 135, 141, 142
- Ecole Internationale*, 419
- Economat* (Supplies Service), 136, 148, 150
- Economic and Financial Organization, 112, 113, 149, 158, 159
- Economic and Financial Section, 83, 111, 208, 333  
 division of, 86, 111-12, 161  
 history, 111-12  
 staff, 115  
*See also* Economic Relations Section; Financial Section and Economic Intelligence Service
- Economic Committee, 112, 113
- Economic, Financial, and Transit Department (Department II), 87, 88, 112, 115, 118, 375
- Economic Intelligence Service. *See* Financial Section and Economic Intelligence Service
- Economic Relations Section  
 functions, 114, 216  
 history, 111-12  
 publications, 115  
 staff, 115
- Economic Statistics, convention, 113
- Economy, 167-70, 171. *See also* Rationalization
- Editor, Document Service, 137
- Educational Information Center, 132
- Enquiries and reports, 25-31. *See also* Committee; Reports
- Entertainment allowances and fund, 49, 297-98
- Epidemic Commission of League, 120
- Equality of the sexes  
 Covenant provision on, 365  
 difficulties of implementation, 367-69  
 official recognition, 365-67  
 preponderance of women in Second Division, 370, 407  
 women with administrative rank, 367, 369-70
- Evans, Archibald A., *cited*, 303, 339-40, 427
- Examinations, 331-34, 432; Staff Regulations on, 333
- Exchange and loan of officials. *See* Seconding
- Expenses, Committee on Allocation of, 114. *See also* Budget; Removal expenses; Traveling expenses
- Experience in International Administration, Conference on, xv, 3, 23, 39, 246, 286, 303, 308

- Experience of the League of Nations Secretariat, Exploratory Conference on, xv, 308
- Experts, Committee of, 27, 386 n., 387.  
*See also* Noblemaire Report
- Experts and Specialists, 29, 283, 303, 341
- External relations, 175-98. *See also* Branch offices; Correspondence of Secretariat; Information Section; Liaison activities; National League of Nations Services; Permanent delegates; Radio-Nations
- Extraterritoriality. *See* Buildings and grounds; Diplomatic privileges and immunities
- Far East. *See* Health Section
- Fascist Italy, 68, 250-51, 252
- Field, Noel, 130
- Filing system of Secretariat, 451-63
- Films, photographs, 206, 214, 434
- Finances. *See* Budget; Supervisory Commission; Treasury
- Financial administration. *See* Treasury
- Financial Committee, 113
- Financial Conference (Brussels, 1920), 112, 114
- Financial Section and Economic Intelligence Service, 111-15, 143, 147, 187, 188
  - crisis and, 375
  - examinations, 333
  - functions, 91, 93, 112-14
  - history, 86, 90, 111-12
  - publications, 114, 219
  - staff, 115
  - See also* Economic and Financial Organization; etc.
- First Division, 154, 169, 179, 187, 209, 243, 280-83, 284, 295, 307, 311, 343, 358
  - age limits, 346
  - annual leave, 298
  - appointments to, 316, 326-27
  - carte de légitimation*, 268
  - Committee of Thirteen on, 28-29
  - continuity of service in, 347-49
  - contracts, 303, 346, 432
  - decrease of Anglo-Saxons in, 153
  - defined, xvii, 279
  - diplomatic immunities, 266, 267
  - educational requirements, 327, 328
  - examinations for, 333
  - fluctuations in size, 286-87, 288
  - language proficiency, 328-29
  - liaison work, 184-85
  - nationality distribution in, 355-57, 358, 359, 360, 361
  - passports and visas, 269
  - professional composition of, 404-6
  - salaries, 294, 295
  - staff of, 28-29, 279-83, 402, 404 n., reduction of, 373, 375. *See also* High Directorate
  - women in, 369
- Fiscal Committee, 113
- Food and Agricultural Organization, United Nations, 89, 165, 262 n., 377, 426
- Fosdick, Raymond B., 54 n., 362
- Fourth Committee (Budget), 21-22, 25, 29, 59, 167, 169, 222, 297, 318, 337, 354, 367
  - on salaries, 293
  - on tenure, 300
  - See also* Budget; Treasury
- Functions of the Secretariat Committee of Thirteen on, 18, 28
- Covenant provisions on, 17, 104
- evaluation of Secretariat rôle, 391-401
- evolution of concept of, 13-16
- Noblemaire Report on, 18, 27, 391-92
- of sections and services, 100-43, *passim*, 148, 203-8. *See also under respective units*
- scope and range, 17-20
- Secretary-General. *See* Secretary-General
- technical, 157-61
- under League conventions, 445-48
- General Affairs (Department I), 87, 88, 101, 109, 116, 129, 130
- General Sections and Services, 90, 99, 100-9
  - relation to Internal Administrative Services, 149-50
  - relation to Secretary-General, 144, 147
  - relation to specialized services, 148-49
  - See also* Central Section; Information Section; Legal Section; Library; Political Section; Treasury
- General Stenographic Service, 136, 148, 171

- Geneva, seat of the League, 410-24  
 center of international organizations, 412, 418  
 choice of, 231-32, 410-15, 428  
 climate, 417-18  
 communication facilities, 416  
 compared with large cities, 424  
 Council resolution (1920), 415  
 disadvantages of, 420-23  
*esprit de Genève*, 420  
 institutions of higher learning in, 328, 419  
 social life in, 420-21  
*See also* Headquarters; Seat of international organization
- Geneva Graduate School of International Studies, 328, 419
- Geneva Institute of International Relations, 419
- Geneva Research Center, 419
- Geneva School of International Studies, 419
- Geographical areas, 91. *See also* Desks
- Gerig, Benjamin, 404
- Governmental Press Bureau and Representatives of the Press, conferences (Copenhagen, 1932; Madrid, 1933), 212
- Grants to the League. *See* Rockefeller
- Haas, Robert, 94, 120
- Haile Selassie, Emperor, 333
- Halifax, Lord, 381
- Haller, E. R. de, 117
- Hambro, Carl J., 22, 24, 45, 237, 312
- Hamel, Jost van, 105, 274
- Hamarskjöld, Ake, 105, 307
- Hankey, Sir Maurice, 80
- Headquarters of League  
 buildings and grounds, 229-31  
 inviolability of premises, 231-35  
 night duty, 235-36  
*See also* Geneva, seat of the League
- Health, International Office of Public Health (Paris). *See* International Office of Public Health
- Health and Social Questions, Suppression of Opium Traffic (Department III), 87, 88, 120, 130
- Health Committee, 120, 121
- Health Council, advisory, 120
- Health Organization, Permanent, 120, 149, 158, 159
- Health Research Unit of League, 88, 375
- Health Section, 126, 147, 158, 161, 185, 372, 375  
 Far Eastern Health Bureau, Singapore, 5, 121, 158  
 functions, 120-22  
 history, 120  
 publications, 122  
 staff, 122-23
- High Directorate, 53-74, 87, 88, 297, 404, 432  
 appraisal, proposals, 430, 436  
 categories, 62  
 defined, xvii, 53  
 directors meetings, 69-70, 71, 146  
 dominated by Great Powers, 63, 65, 66, 430, 433  
 highest officials in, 62-65, 145, 430  
 multiple membership in, 67, 68  
 national islands in, 60-61  
 nationality distribution in, 60-61, 62, 64-69, 430, 433; table, 67  
 not a corporate entity, 53  
 policy council of, 30, 69-74  
 position, functions, and rank of principal officers, 53-61  
 relation of Secretary-General to, 429-30  
 Section meetings, 70  
 tenure, 54, 60, 302  
*See also* Deputy Secretary-General; Directors; Legal Adviser; Secretary-General; Treasurer, Under Secretaries-General
- Highest officers. *See* Deputy Secretary-General; Secretary-General; Under Secretaries-General
- Hill, Martin, *cited*, 337-38
- Hitler, Adolf, 30, 162, 252, 253
- Honors and decorations, 276-78
- House, Colonel Edward Mandell, draft plan (1918), 13
- Howard-Ellis, Charles, *cited*, 409 n.  
 on communications, 416  
 on diplomatic status of permanent delegates, 192  
 on salaries, 290  
 on Secretary-General and budget, 224  
 on Supervisory Commission, 23, 24  
 on Treasury functions, 105
- Hudson, Manley O., 104, 105; *cited*, 261
- Hurst, Sir Cecil, *cited*, 14-15. *See also* Secretariat of League
- Hymans, Paul, 411

- Immunities and privileges. *See* Diplomatic privileges and immunities
- Increment, annual, 225, 254, 295, 296-97
- Indexing Service (Branch), 135, 143, 454, 456-57, 462-63
- India, 337-38, 354, 359
- Information Section, 83, 87, 88, 93, 99, 185, 187, 188, 201-17, 241, 328
  - appraisal, 434
  - barred from advocating policies, 203
  - branch offices, 188, 208, 241
  - communiqués, 204, 211
  - Daily Synopsis, 207-8
  - films, photographs, 206, 214, 434
  - functions, 148, 201-8, 434
  - guiding principles, 201, 203
  - history, 202, 208
  - journalists in, 405-6
  - liaison between League and public opinion, 201, 434
  - limitations of, 214-17, 434
  - national composition of, 208-9
  - national desks, 92, 208
  - organization, 208-9
  - place in general scheme, 201, 202, 434
  - press and, 202, 205, 209-14, 434
  - propaganda prohibited, 203
  - publications, 205-6
  - radio broadcasts, 197, 206-7, 214-15, 434
  - relationship to Secretary-General, 144, 146
  - size, 171, 208-9, 405-6
  - staff, 208-9, 328
  - suggested reform of, 217, 438-39
  - temporary collaborators, 205, 342
- Insurance scheme, mutual, 315
- Intellectual cooperation, committees on, 131, 132
- Intellectual Cooperation Section, 83, 86, 130-33, 216, 403
  - functions, 90, 131-33
  - history, 130
- Intellectual Cooperation Organization, 132
- International Institute of Intellectual Cooperation, 132
  - publications, 133
  - staff, 133
- Interallied wartime agencies (1917-1918), 79-80, 247
- Internal Administrative Services, 83, 87, 88, 134-43
  - functions, 135-43
  - history, 134
  - organization, 134, 135, 171
  - relation to sections, 149-50
  - relationship to Secretary-General, 145
  - staff, 143
  - See also* Distribution of Documents Service; Document Service; Duplicating Service; General Stenographic Service; Indexing Service; Internal Services; Multigraph Service; Personnel Office; Publications, Printing, and Reproduction of Documents Service; Registry Service; Supplies Service
- Internal Committee, 318
- Internal committees, 262-64
- Internal Control Office. *See* Treasury
- Internal Services, 135, 136, 150
- International administration and Secretariat, 152-56
  - characteristics and problems, 3-12
  - comparison with national administration, 3-4, 7-10, 19, 175
  - concept and scope, 3-7
  - conference: on Experience in, xv, 3, 23, 39, 246, 286, 303, 308; on Training for, 324 n., 337-38
  - defined, 3-4
  - examinations for, 331-32
  - external relations, 175
  - human element, 10, 11, 151
  - recruiting for, 323-24
  - technique of, 7-11
  - terminological difficulties, 11-12
  - training for, 324 n.
- International Bureau of Assistance, 131
- International Bureaux Section. *See* Intellectual Cooperation Section
- International Centre for Research on Leprosy, 186
- International Committee on Intellectual Cooperation, Paris, 131-32, 133. *See also* Intellectual Cooperation Section
- International Council of Women, 366
- International Educational Cinematographic Institute, 132, 186
- International Educational Institute, Rome, 132
- International Exhibitions Bureau, 131
- International Hydrographic Bureau, 131

- International Institute for the Unification of Private Law, 186
- International Institute of Agriculture, Rome, 187, 239
- International Institute of Intellectual Cooperation, 162, 186
- International Labor Office (ILO), 3, 4, 85, 126, 181, 184, 185, 186, 224, 225, 226, 239, 260, 264, 265, 281, 292, 296, 339, 390, 431
- administration compared with League Secretariat, 386-90
- Administrative Tribunal and, 261
- branch offices, 188, 189
- Committee of Experts on staff of, 387
- common services with Secretariat of League, 85, 339
- component labor groups, 385, 388
- correspondence, 176
- Director of, contrasted with Secretary-General, 40-41, 385-86, 388-89, 428
- French administrative system in, 153, 386
- Governing Body of, 390, 415
- International Management Institute, 170
- leadership, 385-86
- national origin of Director, 47
- Noblemaire Report on, 385, 386 n.
- organization, 386-87
- Pensions Fund, 312
- permanent delegates, 191 n.
- power of Director increased, 24
- staff, 349, 387-90
- Supervisory Commission and, 23 n., 390
- titles and ranks in, 390
- transfer and loan of officials, 307, 339-41
- See also* Thomas, Albert
- International Management Institute, 170
- International Office of Public Health in Paris, 78, 120, 187
- International Organization, future, 425-27
- administrative machinery, 436
- leadership, 435-36
- liaison, 185
- operational tasks, 7
- organization of, 437
- permanent delegations, 195
- principal officers, 436
- public relations, 438-39
- rationalization and, 174
- seat of, 423-24, 435
- staff of, 46, 325, 364, 437-38
- types of, 439-40
- universal basis of, 325
- International Students Union, 419
- Interpreters, 137
- Committee of Thirteen on, 282-83
- feats of, 140-1
- nationality of, 354
- qualifications, 139-40
- Invalidity Fund, 311-12
- Inviolability of premises and grounds, 231-35
- Covenant provision, 234
- incidents relating to, 233-35
- modus vivendi* on, 233
- of future organization, 435
- Jacklin, Seymour, 106
- Jenks, C. Willfred, *cited*, 40, 42, 243
- Journalists, International Association of, 212, 234. *See also* Information Section; Press
- Judicial Committee, 136, 147
- Jurists. *See* Committee
- Justh, Ivan de, 234
- Kaeckenbeeck, G., 105
- Kleffens, E. N. van, 105
- Kluyver, C., *cited*, 366
- Knudson, John I., *cited*, 261-62 n.
- Labor Office, International. *See* International Labor Office
- Labor Section, 83, 86
- Languages
- documents in non-official, 205, 206
- language proficiency versus general efficiency, 328-31, 434
- modern type of bilingual diplomatic conference, 96, 139, 434
- official, 87, 96-98, 138, 176, 328, 334, 354, 434
- prevalence of French, 98
- radio broadcasts, 207
- receipt of documents in non-official, 139
- See also* Interpreters; Translators
- La Pradelle, Geouffre de, 258
- Larnaude, Ferdinand, 16
- Lasswell, H. D., *cited*, 107

- Latin America  
     Bureau for Liaison with, 188, 189, 190  
     underrepresentation of, 352, 360-61, 433  
     withdrawals, 360
- Lausanne, Treaty of, 109
- Layton, Sir Walter, 115
- League of Nations Commission, 15, 16, 35, 42, 49, 232, 365, 366, 411, 412, 413
- League policies, rôle of Secretariat in, 200, 391-401
- League Secretariat. *See* Secretariat of League
- Leave, 298-99
- Legal Adviser, 4, 53, 59, 61, 64, 104, 105, 302
- Legal Adviser's Branch. *See* Legal Section
- Legal Section, 83, 86, 87, 88, 145, 146, 148  
     chart, 149  
     functions, 104, 148  
     history, 103  
     publications, 104  
     registration of treaties, 86, 103, 104  
     staff, 104-5
- Lester, Sean, Acting Secretary-General, 65, 380-81
- Lettres de mission*, 268
- Liaison activities, 148-49, 184-87, 188, 189, 326  
     London Report on, 185  
     not standardized, 185  
     of the future organization, 185  
     with international bodies, 185-87  
     with national authorities, 87, 184-85, 188  
     *See also* External relations
- Library of Secretariat, 87, 88, 148, 149  
     functions, 106-8  
     history, 106  
     Library Planning Committee, 107  
     museum, 107-8  
     publications, 108  
     resources of, 107  
     Rockefeller grants, 106, 107, 109  
     staff, 108-9
- Loan Contracts, Committee on, 113
- Locarno Treaties, 251
- London Report, xiii-xiv, 190, 240  
     League publicity, 214-15, 217  
     on examinations, 334  
     on language proficiency, 330 n.  
     on liaison activities, 185  
     on officials, 244  
     on permanent delegations, 194-95  
     on promotion, 308  
     on seat of future international organization, 423  
     on "*Service Français de la Société des Nations*," 181  
     on Under Secretaries-General, 56-58, 60
- Loveday, A., 115
- Lytton Report, 294
- Madariaga, Salvador de, *cited*, 391
- Mandates Commission. *See* Permanent Mandates Commission
- Mandates Section, 83  
     functions, 91, 116-17  
     history, 116  
     publications, 117  
     relationship to Secretary-General, 145  
     staff, 117
- Mantoux, Paul J., 103, 419
- Maritime Conference (Genoa, 1920), 394
- Martin, William, 307 n.
- Marx, Fritz Morstein, *cited*, 279
- Medical Adviser, 230
- Medical Referee of Secretariat, 317
- Meetings. *See* Directors; Sections
- Members of Section, 149, 172, 280, 281-82, 283, 285, 307, 333  
     assimilated ranks, 282-83  
     characteristics defined, 281  
     classification, 282  
     Committee of Thirteen on, 282  
     diplomatic immunities, 265-73, 283  
     entertainment allowance, 297  
     examinations, 333  
     growing dissatisfaction of, 156  
     Noblemaire Report on, 281  
     salaries, 295
- Memel Territory, Convention concerning, 109
- Military service, 271, 372, 376
- Miller, David Hunter, *cited*, 13, 14, 15, 16, 42-43, 232, 351, 365, 411-12
- Minorities Questions Section, 86, 91, 93, 94, 109-11, 145, 403  
     Administrative Commissions Bureau, 86, 102, 109, 110, 111  
     functions, 91, 109-10  
     history, 109  
     organization, 111

- Minorities Questions Section — *Continued*  
 publications, 110-11  
 Secretary-General and, 145  
 staff, 111
- Minorities Treaties, 109, 110
- Moats, Helen, *cited*, 19, 65, 245, 355
- Modus vivendi* of 1926, 233, 265-66
- Monnet, Jean, 54
- Montenach, Jean de, 95
- Morley, Felix, *cited*, 23, 189 n., 394, 395
- Multigraph Service, 135, 141, 142-3
- Munich Agreement (1938), xiv, 172, 278, 378
- Museum, 107-8
- Mussolini, Benito, 251
- Nansen, Fridtjof, 5
- Nansen International Office for Refugees, 86, 131, 162, 186
- Nansen Passport, 363
- National administration  
 British and French systems, 152-53, 154, 386-87, 431  
 comparison of different systems, 155 n.  
 defined, 3
- National Chinese Reconstruction Commission, 185
- National desks, 92, 208
- National islands, 60-61, 430
- National League of Nations services (offices), 179-84
- Nationality distribution in Secretariat, 351-64, 433-34  
 Asia, 68, 359-60, 433  
 Balfour Report on, 26-27, 351  
 Committee of Thirteen on, 29, 351  
 criticism of, 359-61  
 European predominance, 358-59  
 in 1934-44, 357  
 Latin America, 68, 360-61, 433  
 League contributions and, 353-54, 359, 360, 361  
 Noblemaire Report on, 27, 351  
 non-member States, 361-63  
 number of nationalities represented (table), 358  
 principle of, 351-53  
 repartition of posts (table), 356-57  
*See also* First Division; Second Division; Third Division; *also* High Directorate
- Neuilly, Treaty of, 109, 129
- New Committee of Thirteen, 25, 27, 29, 45, 59, 352
- Nicolson, Harold, 101
- Nitobé, Dr. Inazo Ota, 62
- Nitti, Francesco Saverio, 234
- Nixon, Sir Frank, 115
- Noblemaire, Georges, 27
- Noblemaire Report, xix, 25, 27, 81, 335, 351  
 on equality of sexes, 366  
 on examination, 333  
 on ILO centralization, 386 n.  
 on ILO Director, 385  
 on Members of Section, 281  
 on pension, 311  
 on promotion, 305  
 on recruiting, 333  
 on salaries, 291  
 on Secretariat's functions, 18, 27, 391-92  
 on Secretary-General and his Deputy, 55  
 on Staff Regulations, 256  
 on tenure, 301  
 on translators, interpreters, précis-writers, 138  
*See also* Committee of Experts
- Nutrition Committee, Mixed, 114
- Obscene Publications, Suppression of, convention, 127
- Office of High Commissioner for Refugees Coming from Germany, 131
- Office of the League Commissioner for Refugees, 131
- Office Rules of Secretariat, 148, 177  
 on approval and preparation of documents, 464-65  
 on Central Section, 100  
 on Chief of Document Service, 137  
 on correspondence, 177-79  
 on distribution of documents, 202  
 on night duty, 235
- Official Journal of League of Nations, 25, 218, 219, 220, 240, 369
- Officials  
 "acquired rights" of, 259  
 appraisal of experience and proposals for future, 428-33, 435-38  
 challenge of antidemocratic, 249-55  
 classification of, 279-89, 432-33  
 continuity of service, 347-50  
 defined, xvii, 279

- diplomatic background, 402-3
- en disponibilité*, 304
- enforced resignations, 374, 375-76
- esprit de corps*, xiii, 439
- exchange and loan of, 307, 339-44
- exemption from military service, 271
- ex-officials as diplomats, 404
- homogeneity of early, 247-48
- international civil service status of, 27, 28, 29, 30, 81, 239
- literary activities of, 408-9
- night duty, 235-36
- number of, 240, 241-42 (table), 373, 375
- of Secretariat and ILO compared, 387-90
- political allegiance, 408
- professional background, 404-5
- proportion and disproportion between ranks, 286-89
- rôle in League policies, 394-401
- social background, 406-8
- suspension of, 374, 375-76
- See also* High Directorate; First, Second, Third Divisions; *also* Age distribution; Age limits; Annual leave; Appointments; Contracts; Declaration of fidelity; Diplomatic privileges and immunities; Dismissal; Equality of sexes; Examinations; Honors and decorations; Languages; Liaison activities; Nationality distribution; Pensions; Probation; Promotion; Public activities; Recruitment; Removal expenses; Salaries; Seconding; Subsistence allowances; Tenure; Termination of service; Titles; Traveling expenses
- Opium Advisory Committee, 123, 125
- Opium Board. *See* Permanent Central Opium Board
- Opium Traffic Section, 147, 158, 159, 160, 161, 280, 403
- conventions regulating functions, 123
- Drug Control Service, 123, 124
- functions, 123-25
- history, 123
- publications, 125
- staff, 125
- See also* Drugs; Permanent Central Opium Board
- Organization Committee of the League. *See* Committee
- Organization for Food and Agriculture. *See* Food and Agricultural Organization
- Organization of Secretariat
- administrative structure and evolution, 82-95
- appraisal of, 431
- compared with ILO, 386-87
- Departments I-III, 87, 88, 101, 109, 112, 115, 116, 117-18, 120, 126, 129, 130, 375
- grouping of services, 87-89. *See also* Departments
- national representation versus international civil service, 80-81
- past experience in international organization, 77-80
- sections and services, 99-143, *passim*. *See also under respective units*
- Osusky, S., 24
- Palais des Nations*, x, xiii, 106, 151, 230, 231, 235, 236, 299, 418
- Palmer, J., 409
- Pan American Conferences, 186
- Pan American Union, 78, 186, 187, 239, 240, 385 n.
- Passports. *See* Diplomatic privileges and immunities
- Pastuhov, Vladimir, *cited*, 72, 95-96, 133, 447
- Pastuhova, Catherine, xv-xvi, 451
- Paulucci di Calboli Barone, Marquis, 62, 64, 251, 408
- Pelt, Adrian, 214-15
- Pensions, 310-15
- Death and Invalidity Fund, 311-12
- Noblemaire Report, 311
- Pensions Fund, 87, 225, 267, 312-15, 319, 343, 375
- age of retirement, 301 n., 313
- benefits, 313
- budget, 314
- contributions paid by League and officials, 313
- effect of crisis on system, 314
- probationers, 319
- suspension, 374, 376
- Staff Provident Fund, 24, 311; replaced by Pensions Fund, 312, 343
- Permanent Advisory Commission, 129, 130

- Permanent Central Opium Board, 88,  
160, 225, 281  
character defined, 124  
functions, 124-25  
publications, 125  
Secretariat of, 87, 123-25, 144  
staff, 125, 375
- Permanent Committee of the Paris International Health Office (Advisory Health Council), 120
- Permanent Court of International Justice, 181, 186, 224, 307, 312, 351
- Permanent delegates, 190-95, 403  
appointment of, 191  
categories of, 191  
*de facto* delegations, 193  
diplomatic status of, 192  
function, 190-91  
future international organization and, 195  
London Report on, 194-95  
Secretary-General and, 193-94  
titles of, 191, 192-93
- Permanent Health Organization, 120, 149, 158, 159
- Permanent International Civil Service Commission, proposed, 46
- Permanent Mandates Commission, 116, 117, 149, 219. *See also* Mandates Section
- Personnel. *See* Officials
- Personnel Office, 86, 104, 150, 268, 319  
functions, 135-36  
relationship to Secretary-General, 145, 146  
rôle in appointments, 44, 136
- Phelan, Edward J., *cited*, 9-10, 85, 152, 153, 176, 394, 415
- Phillimore Plan (1918), 13
- Pilotti, Massimo, 64, 408
- Pilsudski, Marshal Josef, 254, 422
- Podestá Costa, L. A., 105
- Policy-making organs, 21-31. *See also* Enquiries and reports; Fourth Committee; Supervisory Commission
- Political Section, 58, 83, 148, 172, 185, 208  
Administrative Commissions Bureau merged with, 86, 102  
diplomats in, 93, 101  
functions, 102  
geographical specialization in, 102  
history, 101  
organization, 102-3  
permanent Council members represented in, 103  
relationship to Secretary-General, 144, 146  
staff, 103
- Potter, Pitman B., *cited*, 191-92
- Précis-writers  
Committee of Thirteen on, 282-83  
functions, 141  
nationality of, 354
- President of Council and crisis, 378-80
- Press, 206, 209-14  
Assembly and, 212  
communiqués for, 204, 211  
conferences, 212-13  
facilities for, 209-14, *passim*  
Information Section and, 202, 205, 209-14, 216-17  
International Association of Journalists, 212, 234  
newspapers and agencies represented at Geneva, 209-10
- Princeton Mission, 112, 357, 375
- Principal officers, defined, xvii, 53. *See also* High Directorate
- Private secretariat, 60-61, 100, 171, 430
- Probation, 319-20
- Promotion, 304-10, 335, 432, 433  
Committee and Subcommittee on Appointments and Promotion, 245, 262-63, 318-19  
Committee of Enquiry, 305  
Committee of Thirteen, 305  
Noblemaire Report, 305  
Staff Committee, 318  
Staff Regulations, 305-6, 307, 317
- Propaganda, 203, 439
- Protection of minorities. *See* Minorities Questions Section
- Protocol, 95-96
- Provisional Statutes for the Staff, 256, 257, 291 n., 333, 335, 346
- Public activities, 257, 273-76, 408
- Public administration. *See* National administration
- Public opinion, 199-222. *See also* Information Section; Publications of the League
- Public relations. *See* Information Section
- Publications Committee, 147, 219-20, 221
- Publications Department (Branch), 141-42, 218

- Publications of the League, 217-22
  - free distribution, 221-22
  - of sections and services, 104, 108, 110-11, 114-15, 117, 119, 122, 125, 128, 133, 205-6. *See also under the respective units*
  - printing cost, 220
  - sales of, 218-19
  - sales receipts, 220
- Publications, Printing, and Reproduction of Documents Service, 135, 141-43, 219
  - Draughting Service, 143
  - Duplicating Service, 142
  - functions, 141-43
  - Multigraph Service, 142-43
  - organization, 141
  - Printing Branch, 141, 142
  - Publications Branch, 141, 142, 218
  - Rotaprint Service, 142
- Publicity for vacancies. *See* Vacancies
- Purchasing Committee, joint, 147
- Radio-Nations, 195-98
  - agreement between Swiss authorities and the Secretary-General, 195-96; denunciation of, 197
  - services, 196-97
  - use by Information Section, 197, 206-7, 214-15, 434
- Rajchman, Ludwik, 122-23
- Ramsay, Sir Malcolm, 170
- Rappard, William, 116 n., 117, 419
  - and seat of Leagues, 232, 410, 411-12
  - on officials, 215-16, 402
  - on rationalization and internationalization, 169
  - on Secretariat, 17 n., 392-93, 396
- Rationalization, 161 n., 286-87
  - drawbacks, 172-74
  - form of, 168-69
  - record of, 170-72
- Recruitment, 324-38
  - difference in requirements as between national and international personnel, 323-24
  - educational qualifications, 327-28
  - examinations, 331-34
  - language proficiency, 328-31, 434
  - local, 284, 294, 295
  - national distribution in, 353
  - persona grata*, 326-27
  - positive attitude toward League a requisite, 324-26
  - publicity for vacancies, 333, 335-37
  - representation of principal regions and cultures, 337-38
  - Secretary-General and, 254-55, 325, 326, 327
  - Staff Regulations, 327, 328, 333, 335
  - See also* Appointments
- Reduction and limitation of armaments, 1932. *See* Disarmament Conference
- Refugees, 5, 6, 86, 128, 131, 162, 186
- Registration of treaties, 83, 86, 103, 104
- Registry Service
  - filing system, 451-63
  - functions, 143, 148, 176
  - Indexing Service, 135, 143, 454, 456-57, 462-63
  - Registrar, 178
  - relation to sections and services, 147, 149
- Regrading Committee, 136, 262
- Removal expenses, 225, 467
- Reorganization
  - as basis of dismissal, 317, 318, 321, 373-74; Staff Regulations on, 317
  - sections, services and, 85-86, 87, 88, 100, 101, 109, 112, 115, 116, 117-18, 120, 123, 126, 129, 130, 134
- Report on Staff and Organization of the Secretariat (1920), 300
- Reporting Service, Verbatim, 137
- Reports. *See* Balfour Report; Bruce Report; Committee of Thirteen; London Report; New Committee of Thirteen; Noblemaire Report
- Resolutions. *See* Assembly; Council
- Retrenchment, 172, 347, 373-77, 378
- Rockefeller, John D., jr., grants to League, 106, 107, 231
- Rockefeller Foundation, 109, 121, 122, 241, 375, 375 n., 419
- Rôle of Secretariat in League policies, 200, 391-401
  - contradictory evaluation, 391-93
  - limitations and dangers, 399-401
  - range and character of influence, 393-99
- Rome Convention (1907), 120
- Rosenberg, Marcel, 64
- Rules of Procedure, Assembly, 38, 97, 450
- Rules of Procedure, Council, 449

- Saar Basin, 4, 102, 109, 110, 239, 252  
 St. Germain, Treaty of, 109, 129  
 Salaries, 21, 170, 259, 290-98, 432  
   Assembly resolution on, 293, 296  
   Assembly's competence with respect to, 168, 292-93  
   Committee of Enquiry on, 291  
   committee of jurists on, 168, 293  
   Committee of Thirteen on, 292  
   criticism of, 290, 294, 296, 432  
   economy drive. *See* reduction of, *this entry*  
   entertainment allowances, 49, 297-98  
   evolution of, 291-95  
   expenditure for, 226, 298  
   factors determining level of, 290-91  
   increments, annual, 225, 254, 295, 296-97  
   Noblemaire Report on, 291  
   of First, Second, Third Divisions, 295  
   of Secretary-General, 49, 50  
   overtime compensation, 299 n.  
   reduction of, 168, 170, 293, 295-96  
   Salary Adjustment Committee, 291  
   scales, 295-96  
   stabilization of, 292  
   Staff Regulations, 295  
   Supervisory Commission and, 171, 292  
 Salter, Sir Arthur, 90, 111, 115, 119;  
   *cited*, 344  
 Saunders, H. St. George, 409  
 Scelle, Georges, 258  
 Schücking, Walther Max Adrian, *cited*, 189 n.  
 Schuschnigg, Kurt, 254  
 Seat of international organization, 423-24, 435  
 Seat of League Secretariat, early proposals, 410-11. *See also* Geneva; Headquarters of League  
 Second Division, 243, 283-84, 311  
   age limits, 346  
   annual leave, 298  
   appointments to, 326  
   composition of, 283  
   contracts, 303, 432  
   defined, xvii, 279  
   educational qualifications, 328  
   examinations, 334  
   fluctuations in size, 286-87  
   increments, annual, 295, 296-97  
   nationality, 284, 355  
   proportionate share of staff in three divisions (table), 286  
   salaries, 294, 295  
   tenure in, 303  
   women, preponderance of, 370, 407  
 Seconding  
   between international administrations, 339-41  
   from national administrations, 341-44  
 Secretariat of League  
   administrative as distinct from operational duties, 3-7  
   appraisal of League experience, xiv, 427-34  
   British versus French administrative system, 152-56, 386-87, 431  
   budget and, 223-28  
   centralization within, 72  
   common services with ILO, 85, 339  
   comparison with Dumbarton Oaks Proposals, 426  
   composition. *See* Organization of Secretariat  
   coordination of work, 144-51  
   cost of, 224-26  
   Covenant provisions on, 17, 104  
   diplomats in, 402-3  
   documentary sources on evolution of, 25-26  
   evolution of concept of, 13-16:  
     British Draft Convention (1919), 14  
     Cecil-Miller Draft (1919), 14  
     Cecil Plan (1919), 14  
     French proposals, 15-16  
     Hurst-Miller draft agreement, 15, 35  
     Hurst's "Revision," 14-15, 16  
     Italian draft, 15, 16  
     Smuts Plans, 13-14  
     Wilson's drafts, 13-15  
   filing system, 451-63  
   functions. *See* Functions of the Secretariat  
   homogeneity of early, 247-49  
   identified with League, 20  
   ILO compared with, 385-90  
   in World War II, 87-89, 371-81  
   interrelation of services, 146-51  
   nationality distribution in, 351-64, 433-34 (table), 358  
   Office Rules. *See* Office Rules of Secretariat  
   officials. *See* Officials

- organization. *See* Organization of Secretariat  
 permanent delegations and, 193-95  
 proposals for future organization, 435-41  
 public opinion and, 199-222  
 rationalization in, 168-74, 286-87  
 relationship to Assembly, 21  
 relationship to member States, 20  
 retrenchment. 172, 347, 373-77, 378  
 rôle in League policies, 200, 391-401  
 shift from political to non-political activities, 157  
 size of staff, 239-43  
 staff compared with ILO, 387-90  
 technical activities of, 157-63  
 techniques, 8-9  
 threat to homogeneity of, 249-55  
 Secretariat of the Permanent Central Opium Board, 87, 123-25, 144  
 Secretary-General, 165, 172-73, 189, 203, 208, 212, 216, 222, 235, 251, 253, 257, 268, 270, 274, 275, 276, 288, 293, 296, 304, 306, 312, 339, 352, 364, 414  
 Acting, 26, 67, 88, 357, 380-81  
 appointment of, 21, 46-47, 49  
 appraisal of the international leadership, 428-30, 435-36  
 Assembly and, 24, 38, 39, 45, 51, 428, 429, 450; resolutions, 61, 367, 373, 378-79  
 Balfour Report, 26  
 budget, 39, 145, 167, 223-24, 227, 228, 429  
 Bureau (Office) of, 101, 145, 146  
 Committee of Organization and, 26  
 Committee of Thirteen and, 30-31, 41, 50, 71, 73, 367  
 correspondence, 177-79  
 Council and, 36, 39, 40, 49, 51, 428, 448, 449, 450  
 Covenant provisions on, 21, 36, 37, 38, 40, 42, 43, 49, 145, 428; compared with Dumbarton Oaks Proposals, 426, 426 n.  
 crisis and, 373, 378-81  
 defined, xvii  
 Deputy and, 54-56  
 diplomatic privileges and immunities, 233 n., 265-67  
 direct and delegated authority, 144-46  
 Dumbarton Oaks. *See* Covenant, *this entry*  
 emoluments of, 49-50  
 external powers, 36, 37-42  
 First, 45, 50, 51, 247, 352, 368, 385-86, 402  
 Fourth Committee and, 21, 39, 50, 318  
 functions of, 24, 26, 35-46, 72, 73, 86, 123, 124, 131, 254-55, 259, 296-97, 316-22, 326-27, 328, 333, 339, 346, 373, 398, 399, 428-29, 432, 445-48, 449-50  
 British draft convention, 35, 42-43  
 Covenant. *See* Covenant, *this entry*  
 Hurst-Miller draft, 35-36  
 ILO Director compared with, 385-86  
 internal authority, 42-46  
 internal committees and, 262-64  
 liaison and, 184, 186  
 national origin of, 46-47  
 nationality distribution and, 26-27, 29, 351-53, 354, 355, 357, 364, 433  
 Noblemaire Report, 27, 55  
 pension or allowance for, proposed, 51, 52  
 permanent delegations and, 193-94  
 personality of, 37, 47-49, 385-86, 429  
 policy council of principal officers and, 30, 69-74  
 political activities opposed by, 6-7, 162-63  
 political pressure on, 45  
 position of, 26, 42-46, 53, 144, 428-30.  
*See also* functions, *this entry*  
 public activities of officials and, 274, 275, 276  
 Radio-Nations and, 195-98  
 rationalization and, 170-71  
 relationship to Directors, 93-95; to sections and services, 144-47; chart, 146  
 removal of, 50  
 resignation of, 50, 51, 379-80  
 salary, 49, 50  
 Second, 45, 47, 73, 146, 352, 368-69, 378  
 tenure of office, 50-51, 302  
 title of, 35-36, 285  
*See also* Avenol; Drummond; Lester  
 Section meetings, 70, 93, 93 n.  
 Sections, 89-95  
 Action Section, 147; defined, xvii  
 categories, 90  
 defined, xvii, 89-90

Sections — *Continued*

functions of General, Specialized Sections, 90, 91  
interrelation of services, 146-51  
major structural changes in, 85-86, 87-88  
meetings, 93  
work shaped from outside, 91  
*See also* Administrative Commissions and Minorities Questions Section; Central Section; Communications and Transit Section; Disarmament Section; Economic and Financial Section; Economic Relations Section; Financial Section and Economic Intelligence Service; Health Section; Information Section; Intellectual Cooperation Section; International Bureaux Section; Labor Section; Legal Section; Library; Mandates Section; Minorities Questions Section; Opium Traffic Section; Political Section; Registration of treaties; Social Questions Section; Treasury Sections and Services, General. *See* General Sections and Services  
Security. *See* Pensions  
Sert, José Maria, 231  
"*Service Français de la Société des Nations*," 181  
Service of Epidemiological Intelligence, 121  
Services of Secretariat  
defined, xviii, 90  
relationship to Secretary-General, chart, 146  
work, specialized, 147  
*See also* General Sections and Services; Internal Administrative Services; Specialized Services  
Sforza, Count Carlo, 234  
Sickness and accidents, 315  
Simon, Sir John (Viscount Simon), 140  
Slavery 117, 128  
Smuts Plan, 13-14  
Social hierarchies, 406-8  
Social Questions Section, 83, 86, 93, 158, 160, 161, 206, 216, 280  
Advisory Commission for the Protection and Welfare of Children and Young People, 126, 127  
Advisory Committee on Social Questions, 127, 149, 157, 186

American Social Hygiene Council, 127  
chart, 150  
Child Welfare Committee, 126, 127  
Convention for Suppression of Obscene Publications, 127  
Director of, diplomat, 403  
functions, 91, 126-28  
history, 125-26  
liaison with I.L.O., 126  
Opium Traffic Section and, 403  
publications, 128  
staff, 128  
subdivision of, 127  
Traffic in Women and Children Committee (service), 126, 127  
Special Committee on the Development of International Cooperation in Economic and Social Affairs of 1939.  
*See* Bruce Report  
Specialized Services, 99, 109-33  
relations to general sections, 148-49  
relation to Secretary-General, 145, 147  
*See also* Communications and Transit Section; Disarmament Section; Financial Section and Economic Intelligence Service; Health Section; Intellectual Cooperation Section; Mandates Section; Minorities Questions Section; Opium Traffic Section; Permanent Central Opium Board; Social Questions Section  
Staff. *See* Officials  
Staff Committee, 263-64, 318  
Staff List, 103, 108, 111, 240, 280, 348, 354, 363; Assembly resolution, 240 n.  
Staff Provident Fund, 24, 311-12, 343  
Staff Regulations, 136, 154, 240, 247, 256-57, 262, 284, 328  
amendment of by Secretary-General, 259  
committee of jurists on, 258  
correspondents not subject to, 188  
Noblemaire Report and, 256  
provisions on:  
"acquired rights," 259  
age limits, 346  
annual leave, 298-99  
appointments, 316, 317  
educational qualifications, 327, 328  
equality of sexes, 365  
examinations, 333  
honors and decorations, 277  
increments, annual, 295, 296

- probation, 319
- promotion, 305-6, 307, 317
- public activities, 275
- publicity for vacancies, 335
- recruitment, 327, 328, 333, 335
- reorganization as basis of termination of services, 317
- salary scales, 295
- staff organization, 279
- tenure, 302-3
- See also* Provisional Statutes for the Staff
- Statistical Committee, Inter-Secretariat, 147-48
- Statistical Experts, Committee of, 113, 114
- Stencek, V., 134
- Stenographic Service, 136, 148, 171
- Stone, Donald C., *cited*, 7
- Stoppani, P., 115
- Stresemann, Foreign Minister Gustav, xii, 251
- Subsistence allowances, 466-67
- Sugimura, Yotaro, 62, 103
- Supervisory Commission, 112, 283, 297, 324, 380, 381
  - and crisis, 24, 45, 373, 378-79
  - appointment of, 22
  - budget and, 24, 227
  - defender of League and staff, 24
  - evolution of, 22-25, 45, 373, 378-79
  - functions. *See* evolution, *this entry*
  - on budget equilibrium, 159
  - on economy and rationalization, 167, 170-72
  - on retrenchment in crisis, 374
  - on salaries, 171, 292
  - power, 23, 24
  - relationship to Assembly, Council, Secretariat, 22-24
  - reports, 22, 24, 25, 161, 377
- Supplies Services (*Economat*), 136, 148, 150
- Sweetser, Arthur, 362; *cited*, 229
- Swiss Federal and Cantonal authorities, 104, 233, 265-69, 417
- Swiss Federal Council, 72, 195-98
- Swiss francs, exchange rate, 225 n., 295 n.
- Switzerland
  - diplomatic status of permanent delegates, 192
  - neutrality, problem of, 196, 231-32, 411-12, 417, 428
- See also* Radio-Nations
- Tariff Truce Conferences, 112
- Technical organs of League, 157-58. *See also under respective organs*
- Technical work of Secretariat
  - Bruce Report and, 163-66
  - defined, xviii
  - growth of, 157-61
  - struggle for recognition, 161-63
- Telecommunications Union, 186
- Temporary collaborators, 205, 341-42
- Tenure, 300-4, 432
  - age of retirement, 301 n., 313
  - Committee of Thirteen on, 301
  - comparison of Secretariat and ILO, 389-90
  - continuity of service, 347-50
  - en disponibilité*, 304
  - Fourth Committee, report on, 300
  - Noblemaire Report on, 301
  - of Secretary-General, 50-51, 302
  - principle and practice, 300-1
  - Staff Regulation on, 302-3
  - table on, 302
- Termination of service, 317, 318, 319, 320-22. *See also* Dismissal
- Terminology, administrative, 11-12
- Third Division, 240, 329
  - annual leave, 298
  - composition of, 284
  - defined, xvii, 279
  - fluctuations in size of, 286-87
  - increments, annual, 295, 296-97
  - nationality, 284, 355
  - salaries, 295
  - table, 286
  - tenure, 303
- Thirteen, Committee of. *See* Committee of Thirteen; New Committee of Thirteen
- Thomas, Albert, Director of ILO, 47, 275, 330, 339, 390
  - "letters of principle," 176
  - on branch offices, 189
  - on Geneva as seat of League, 414-15
  - personality of, 385-86, 387, 388
  - relation to staff, 388-89
  - role of, 40-41, 386
- See also* International Labor Office
- Times of emergency, defined, 196 n.
- Titles, 284-86, 408
  - academic and military, 408
  - ILO and Secretariat contrasted, 390

- Titles — *Continued*  
 inadequacy of, 284-85  
 Secretary-General, 35-36, 285  
 Traffic in women and children, 6, 206.  
*See also* Social Questions Section  
 Training for international administration, 324 n.  
 Transit. *See* Communications and Transit  
 Transit Section. *See* Communications  
 and Transit Section  
 Translators  
 Committee of Thirteen on, 282-83  
 functions, 138-39  
 history, 138  
 nationality of, 354  
 staff, 138  
 terminology and style, 139  
 Traveling expenses, 225, 299, 466  
 Treasurer, 53, 106, 226, 263. *See also*  
 Treasury  
 Treasury, 87, 88, 148  
 Accounting Branch and, 105, 226  
 control of expenditures, 226-27  
 functions, 105  
 history, 105  
 Internal Control Office and, 105, 226  
 office moves to London, 105  
 position of Treasurer, 106, 226  
 relationship to Secretary-General, 144-  
 45  
 staff, 106  
 Treaties. *See* Conventions, treaties, agree-  
 ments  
 Trianon, Treaty of, 109, 129  
 Tribunal. *See* Administrative Tribunal  
 Under Secretaries-General, 56-59, 60, 145,  
 146, 285, 430  
 abolition of post proposed, 59  
 abuses, 57, 58  
 Assembly resolution on, 59  
 combination with post of director, 57-58  
 committee reports on, 58, 59  
 development, 59  
 functions, 56-58  
 London Report on, 56-57, 60  
 member of High Directorate, 53  
 monopoly of posts by permanent Coun-  
 cil members, 62-63  
 nationality of, 56-57, 62, 64, 65  
 number of, 59, 63  
 political appointees, 56-57, 306  
 tenure of, 302  
 United Nations Relief and Rehabilitation  
 Administration (UNRRA), 4, 88, 89,  
 165, 375, 377, 425-26  
 Universal Postal Union, 78, 186  
 University of Geneva, 328, 419  
 Vacancies, publicity for  
 Committee of Thirteen on, 333, 335  
 method, 336-37  
 problem of, 336  
 Provisional Statutes, 335  
 Staff Regulations on, 335  
 Vacation. *See* Annual leave  
 Varè, Daniele, *cited*, 250 n., 420 n.  
 Venizelos, Eleutherios, 47  
 Versailles Treaty, xiv, 129, 248, 252  
 Visas. *See* Diplomatic privileges and im-  
 munities  
 Vorovsky, Vaslav, 416  
 Walters, F. P., 64, 402; *cited*, 80, 81, 200  
 Waples, D., *cited*, 107  
 Wehberg, Hans, 274; *cited*, 189 n.  
 Wiart, Count Carton de, 126  
 Wilcox, Francis O., *cited*, 399 n.  
 Williams, Nancy, 367  
 Williams, Roth, *cited*, 20, 409 n.  
 Wilson, Florence, 108  
 Wilson, President Woodrow, 414, 424  
 draft plans concerning Secretariat, 13,  
 14, 14 n., 15, 16  
 on Geneva as seat of League, 232, 410,  
 412-14  
 Women. *See* Equality of the sexes  
 Wood, Hugh McKinnon, 445  
 Woolf, Leonard S., *cited*, 84  
 World Economic Conference (1927), 112  
 Wright, Quincy, *cited*, 117  
 Youth, Subcommittee of Experts for the  
 Instruction of, 132  
 Zimmern, Sir Alfred, 419; *cited*, 19  
 Zumeta, C., 167

